



WCAT

**Workers' Compensation
Appeal Tribunal**

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**WORKERS' COMPENSATION APPEAL TRIBUNAL (WCAT)
QUARTERLY REPORT TO THE COMMUNITY
FOR THE PERIOD ENDED MARCH 31, 2009**

WCAT's mandate is to decide appeals brought by workers and employers from decisions of the Workers' Compensation Board, operating as WorkSafeBC (the Board). WCAT decides compensation, assessment, and prevention appeals from decisions of the Review Division of the Board. We also decide direct appeals from Board decisions regarding compensation claim reopenings by application, discriminatory action complaints, and applications for certificates to the Court.

As of March 31, 2009, our total active inventory was 2,922 appeals. During the first quarter of 2009, we received 1,252 new appeals, which represented an 8% increase from the 1,155 appeals we received in the first quarter of 2008. The vast majority of appeals are compensation appeals.

During the first quarter of 2009, we made decisions on the merits of 945 appeals and made summary decisions on a further 342 appeals that were rejected, dismissed, withdrawn, or suspended. An appeal may raise numerous issues and WCAT may allow, allow in part, or deny the appeal on each issue. During the quarter, we decided 1,315 issues.

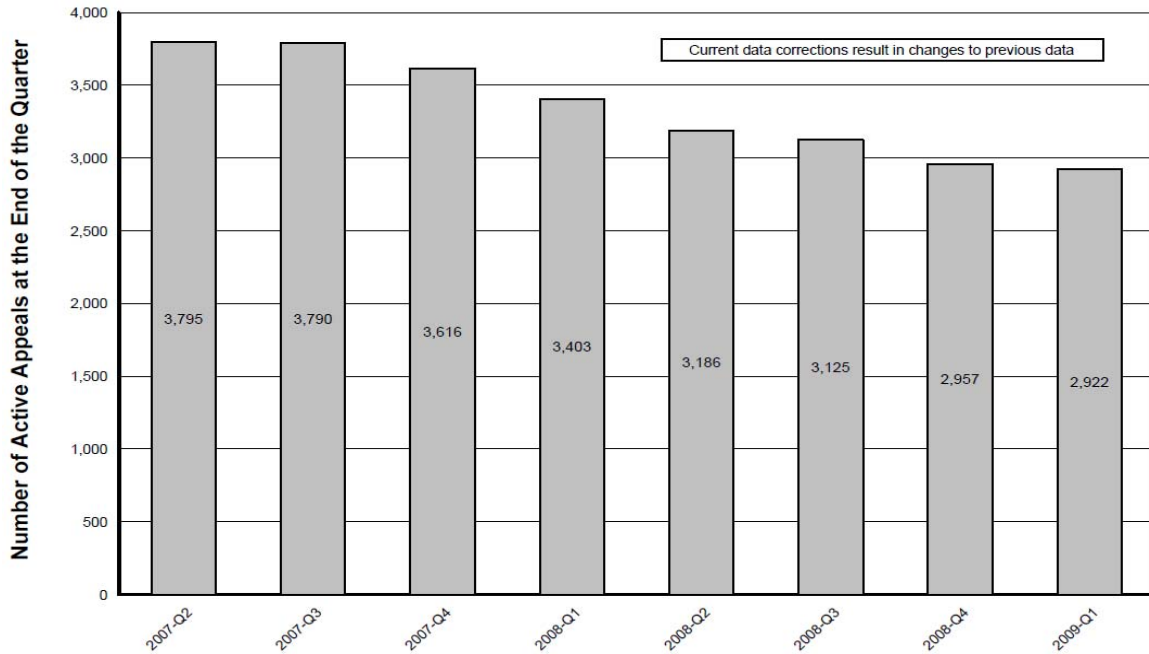
When WCAT makes a decision on the merits of an appeal, the decision under appeal may be varied, confirmed, or cancelled by WCAT. "Vary" means that WCAT varied the previous decision in whole or in part. Accordingly, whether WCAT has fully granted the remedies requested by the appellant on all issues arising under the appeal or merely changed a minor aspect of the previous decision, the decision is considered to have been "varied". "Confirm" means that WCAT agreed with all aspects of the previous decision. "Cancel" means that WCAT set aside the previous decision without a new or changed decision being provided in its place.

During the quarter, WCAT confirmed 61% of the decisions under appeal and varied 39%. WCAT did not cancel any decisions. In deciding the issues arising out of those appeals, WCAT allowed the appeals on 27% of the issues, allowed them in part on 9%, and denied them on 64%.

Attached are graphs and tables that contain further statistical information.

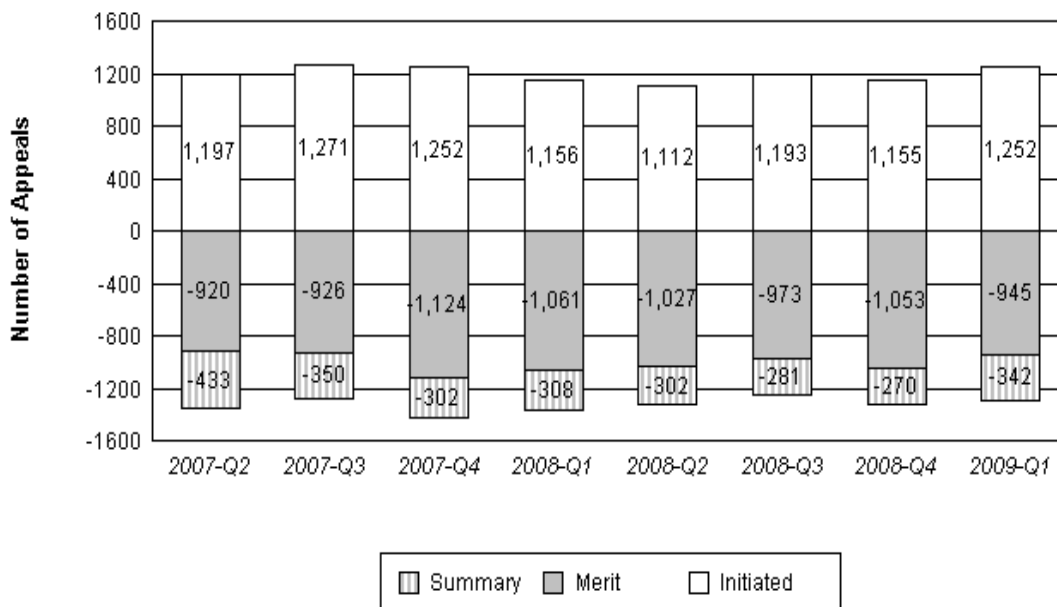
Jill Callan, Chair

**Workers' Compensation Appeal Tribunal
 Number of Active Appeals In Inventory**



A. SUMMARY STATISTICS - ALL APPEALS

INTAKE and OUTPUT



1. OUTCOMES of MERIT DECISIONS:

Outcome	2009-Q1	Last 12 Months
Confirm	60.8%	59.6%
Vary	39.2%	40.4%
Total	100.0%	100.0%

2. OUTCOMES of ISSUES:

Outcome	2009-Q1	Last 12 Months
Denied	64.3%	64.5%
Allowed	27.2%	27.7%
Allowed in Part	8.5%	7.8%
Total	100.0%	100.0%

3. REASONS for ISSUE OUTCOMES:

Outcome	2009-Q1	Last 12 Months
Denied	64.3%	64.5%
Error in Law	0.9%	1.0%
Error in Policy	0.5%	0.8%
Reweigh Existing Evidence	6.3%	5.7%
Reweigh with New Evidence	28.0%	28.0%
Total	100.0%	100.0%