



IF YOU HAVE ANY QUESTIONS ABOUT THE ORAL HEARING PROCESS, PLEASE VISIT OUR WEBSITE AT:

www.appeal.mb.ca

OR CONTACT US AT:

The Appeal Commission
600 - 330 St. Mary Avenue
Winnipeg, MB R3C 3Z5

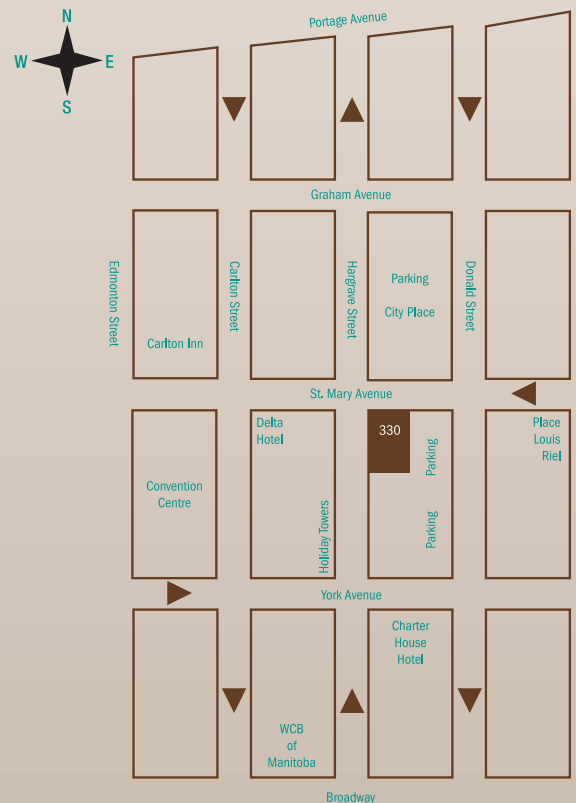
Phone: (204) 925-6110 | Fax: (204) 943-4393

Email: appeal@appeal.mb.ca



WHAT HAPPENS AFTER THE HEARING

- When the hearing is complete, the appeal panel will meet privately and either make a decision or ask for more information. If more information is needed, everyone will be notified and given an opportunity to comment on the new information before the panel makes a decision.
- A decision will be made within 60 days of the completion of the hearing. If more information is needed, then the decision will be made within 60 days of receiving the information and comments. Written reasons for the decision will be mailed to everyone involved.
- A copy of the written decision will also be given to the WCB. The WCB is responsible for carrying out the panel's decision.



PREPARING FOR AN ORAL HEARING



THE APPEAL COMMISSION

THE WORKERS COMPENSATION
ACT OF MANITOBA

preparing for an

ORAL HEARING

The Appeal Commission is the final level of appeal in the workers compensation system and operates separately and independently from the WCB. The Commission is solely responsible for hearing all appeals from workers and employers concerning WCB Review Office or Assessment Committee decisions. When an oral hearing takes place, everyone who participates is given an equal opportunity to present their case.

LOCATION OF THE HEARING

Hearings are held in Winnipeg at the Appeal Commission located at 600 – 330 St. Mary Avenue.

WHO IS AT THE HEARING

- The person who began the appeal should always be at the hearing. Other people who are involved in the appeal, such as the employer at the time of the injury, may also be at the hearing.
- If a person is represented, the representative should also be at the hearing. You may bring a spouse or friend for moral support. You may also bring witnesses to the hearing to give evidence in support of your case. You must notify the Appeal Commission before the hearing if you are bringing someone with you.
- The hearing is conducted by a panel of three commissioners. One of the commissioners will lead the hearing.

- A court reporter will be present to record the proceedings. A copy of the transcript will be placed in the file.
- The WCB is not normally represented at the hearing.

WHAT TO BRING TO THE HEARING

- The Appeal Commission uses the original WCB file. If you have other medical reports that are not already on the file or any other evidence that is important to the appeal, please provide those to us *at least 5 business days* before the hearing.

PREPARING FOR THE HEARING

- Make sure all submissions, evidence, required medical reports and other related information have been sent to the Appeal Commission five business days before the hearing date. Remember, the appeal panel uses the original WCB file so there is no need to send information that is already on the file.
- You can find someone to represent you but it is not necessary to do so.
- Confirm the date and time of the hearing with your representative if you have one.
- Be prepared to discuss why you feel the decision being appealed should be changed or upheld.

WHAT HAPPENS AT THE HEARING

- Everyone meets in the Appeal Commission waiting room before the scheduled hearing time.
- Everyone is then brought into the hearing room where they are seated and introduced to each other.
- The commissioner leading the hearing makes an opening statement and explains how the hearing will be conducted.
- The person who asked for the appeal makes their full presentation. At this time, arguments are made and witnesses are called.
- The other person who is involved with the appeal then makes their full presentation.
- The appeal panel may ask questions of each person.
- The people involved in the appeal may ask each other questions with the appeal panel's approval.
- Everyone then makes their closing remarks.
- Please note that the appeal panel can only consider issues previously changed or upheld by the WCB. If a new issue is raised at the hearing, it will be sent back to the WCB for a decision.