



THE APPEAL COMMISSION

THE WORKERS COMPENSATION ACT OF MANITOBA

APPEAL COMMISSION

RULES OF PROCEDURE

Table of Contents

1	Purpose, Interpretation, Definitions	5
	(1) <i>Authority</i>	5
	(2) <i>Purpose</i>	5
	(3) <i>Application</i>	5
	(4) <i>Dispensing with rules</i>	5
	(5) <i>Expansion of time</i>	5
	(6) <i>Rules not exhaustive</i>	5
	(7) <i>Conflict</i>	5
	(8) <i>Definitions.....</i>	5
2	Duties of Registrar.....	7
3	Referral	8
	(1) <i>Referral to second panel</i>	8
	(2) <i>Members of second panel</i>	8
4	Commencement of Matters.....	8
	(1) <i>Commencement of matters</i>	8
	(2) <i>Matters not invalid due to error.....</i>	8
	(3) <i>Interpreter.....</i>	8
	(4) <i>Accessibility</i>	8
	(5) <i>Cancellation.....</i>	9
5	Requests and Adjournments	9
	(1) <i>Pre-hearing requests.....</i>	9
	(2) <i>Addressing a request.....</i>	9
	(3) <i>Adjournment.....</i>	9
	(4) <i>Reasons</i>	9
6	Hearings	10
	(1) <i>Natural Justice.....</i>	10
	(2) <i>Type of hearing</i>	10
	(3) <i>C.A.C to decide if a person has a direct interest</i>	10
	(4) <i>Appeal of decision of C.A.C.....</i>	10

(5) <i>Hearings open to public only with consent</i>	10
7 Witnesses	10
(1) <i>Witnesses</i>	10
(2) <i>Compelling Witnesses</i>	10
(3) <i>Orders</i>	11
(4) <i>Examination of witnesses</i>	11
(5) <i>Exclusion of witnesses</i>	11
(6) <i>Affirmation of evidence</i>	11
(7) <i>Payment of witness fees</i>	11
8 Filing Material	11
(1) <i>Filing material for hearing</i>	11
(2) <i>Further evidence</i>	11
(3) <i>Written hearing</i>	11
(4) <i>Post-hearing</i>	11
9 Evidence	12
(1) <i>Evidence determined by panel</i>	12
(2) <i>Panel may receive evidence and information</i>	12
(3) <i>Submissions and evidence at hearing</i>	12
(4) <i>Exhibits</i>	12
(5) <i>Further evidence and submissions</i>	12
10 Review and Reconsideration by WCB	12
11 Notice and Service	12
(1) <i>Notice of hearing</i>	12
(2) <i>Failure to appear at hearing</i>	12
(3) <i>Service of documents</i>	13
(4) <i>Service on representative</i>	13
(5) <i>Deemed service of document</i>	13
12 Oral Hearings	13
13 Record and Transcript	13
(1) <i>Record</i>	13

(2) <i>Copy of transcript</i>	13
(3) <i>Other recordings not permissible</i>	14
14 Issues to be Decided	14
(1) <i>Issues at hearing</i>	14
(2) <i>Additional issues raised</i>	14
(3) <i>Referral to WCB</i>	14
15 Decision.....	14
(1) <i>Decision of appeal panel</i>	14
(2) <i>Where appeal panel does not make decision</i>	14
(3) <i>Registrar to provide copy of reasons</i>	15
Form 1: Applications to Appeal	16
Form 2: Notice of Cancellation	28
Form 3: Pre-hearing Requests	29
Form 4: Witness List	30
Form 5: Request to File Additional Evidence	31

1 PURPOSE, INTERPRETATION, DEFINITIONS

Authority

1(1) Section 60.7 of the Act gives the appeal commission the authority to determine the practice and procedure for the conduct of matters before the appeal commission.

Purpose

1(2) These rules are established to ensure that

- (a) all parties to an appeal have a full and fair opportunity to be heard;
- (b) evidence is disclosed and presented in a timely and efficient manner; and
- (c) appeal commission proceedings are conducted in ways to ensure they are accessible, informal, expeditious, and transparent.

Application

1(3) These rules shall be liberally applied by each appeal panel to the matter before it so as to be consistent with the purposes set out in rule 1(2).

Dispensing with rules

1(4) An appeal panel may, on the request of a party or on its own initiative, dispense with compliance with any rule where to do so is consistent with the purposes set out in rule 1(2).

Expansion of time

1(5) An appeal panel may expand the time prescribed by these rules for doing an act, filing a document or taking a proceeding.

Rules not exhaustive

1(6) An appeal panel may decide any procedural matter not provided for by these rules.

Conflict

1(7) If there is a conflict between these rules and the Act, the Act applies.

Definitions

1(8) In these rules,

"Act" means *The Workers Compensation Act*, C.C.S.M. c. W200;

"appeal commission" means the appeal commission established under s 60.2(1) of the Act;

"appeal commissioner" means a person appointed as an appeal commissioner under s 60.2(1) of the Act;

"appeal panel" means a panel established under s 60.3(1) of the Act;

"business day" means Monday to Friday, except a day that is a holiday;

"business hours" means 8:30 a.m. to 4:30 p.m. on a business day;

"Chief Appeal Commissioner" means the person designated as the Chief Appeal Commissioner under s 60.2(1)(c) of the Act;

"evidence" is any evidence, including hearsay, and including any oral testimony, documents, or demonstrative evidence which the appeal panel considers relevant to the appeal.

"hearing" means an oral hearing or a written hearing of a matter, as decided by the Chief Appeal Commissioner under rule 6(2);

"person who has a direct interest" may include, with respect to an accident or other matter before the appeal commission, the following:

- (a) the worker whose claim for compensation is before the appeal commission,
- (b) the employer of the worker at the time of the accident,
- (c) any employer whose assessment is before the appeal commission,
- (d) any worker, employer, or third party who participated in the reconsideration at the WCB on the same matter that is before the appeal commission,
- (e) a person referred to in s. 9(1), 9(5), 9(7), 9(7.1), 9(8), 60(2.1) or 60(5) of the Act,
- (f) the Workers Compensation Board of Manitoba, where the chief executive officer of the WCB requests standing,
- (g) a person who the Chief Appeal Commissioner decides under rule 6(3) is a person who has a direct interest, and
- (h) in the case of an accident that results in the death of a worker,
 - (i) a dependent of the worker,
 - (ii) an authorized representative of the estate of the worker, and
 - (iii) a spouse of the worker.

"presiding officer" means the presiding officer of a panel appointed under s 60.3(1)(c) of the Act;

"registrar" means the senior administrative staff person to the appeal commission;

"submission" is written or oral argument presented to an appeal panel in support of a party's position on the issues in an appeal or regarding a procedural step.

"WCB" means The Workers Compensation Board of Manitoba.

2 DUTIES OF REGISTRAR

Duties of registrar

2 The duties of the registrar include the following:

- (a) to schedule hearings by appeal panels and, in respect of each matter set for hearing, to notify in writing any person who has been determined to have a direct interest in the matter;
- (b) to review the WCB claim file before the hearing of a matter,
 - (i) to identify the issues in a matter to be decided by an appeal panel,
 - (ii) to ensure that the file is complete with respect to the information required for the hearing,
 - (iii) to recommend to the Chief Appeal Commissioner the type of hearing most appropriate to the matter,
 - (iv) to advise the Chief Appeal Commissioner whether, with respect to a matter, an appeal commissioner has an actual or apparent conflict of interest or is a person who has a direct personal interest in the matter.
- (c) to seek out any information that an appeal panel decides is necessary or advisable for the purpose of a hearing, and on obtaining the information to provide, subject to the Act, a copy to the appeal panel and any person who has a direct interest in the matter; and
- (d) in respect of a decision of the appeal commission, to give notice to the corporate secretary and any person who has a direct interest in the matter, in accordance with these rules.

3 REFERRAL

Referral to second panel

3(1) Pursuant to s 60.3(2) of the Act, the Chief Appeal Commissioner may at any time refer a matter that is before one appeal panel to another appeal panel where

- (a) the first appeal panel does not render a decision in accordance with rule 15(1);
- (b) an appeal commissioner on the first appeal panel is unable at any time to sit on the panel, or to continue to sit on the panel, for any reason, including an actual or apparent conflict of interest; or
- (c) in the opinion of the Chief Appeal Commissioner, a referral to a second appeal panel is necessary for the proper disposition of the matter.

Members of second panel

3(2) Subject to s 60.3 of the Act and rule 15(2), when a matter is referred to a second panel, the second panel may include members of the original panel.

4 COMMENCEMENT OF MATTERS

Commencement of matters

4(1) Every matter before the appeal commission shall be commenced by filing an application in a form acceptable to the appeal commission. Applications should be made using Form 1: Applications to Appeal.

Matters not invalid due to error

4(2) No matter shall be dismissed because of an error in completing an appeal form, and any amendment required to correct an error may be made at the discretion of the Chief Appeal Commissioner or appeal panel.

Interpreter

4(3) A party who requires the services of an interpreter at a hearing shall notify the registrar. The appeal commission will arrange for and pay the costs of an interpreter.

Accessibility

4(4) A party who requires accommodation at a hearing due to an accessibility barrier shall notify the registrar as soon as the party becomes aware of the requirement.

Cancellation

4(5) A person with a direct interest may cancel their appeal at any time before a decision is provided by the appeal panel, by giving written notice of the cancellation to the appeal commission. Notice of cancellation should be made using Form 2: Notice of Cancellation

5 REQUESTS and ADJOURNMENTS

Pre-hearing requests

5(1) Requests for a panel to make a pre-hearing decision, including requests to adjourn a scheduled hearing, shall

- (a) be made as soon as possible;
- (b) be in writing unless the appeal panel permits otherwise; and
- (c) detail what the request is for and why it is necessary.

Requests should be made using Form 3: Pre-hearing Requests.

Addressing a request

5(2) Upon receipt of a request, the appeal panel

- (a) shall ensure that the other parties have an opportunity to respond;
- (b) may direct the time, manner and form of any response;
- (c) may direct making of arguments and presentation of evidence by all parties; and
- (d) shall dispose of or decide the request as it sees fit.

Adjournment

5(3) An appeal panel may adjourn the hearing of any matter for such time and upon such terms and conditions as the panel considers necessary or advisable, even if the parties have not requested an adjournment.

Reasons

5(4) On deciding any request, the appeal panel shall provide the parties with oral or written reasons for its decision.

6 HEARINGS

Natural justice

6(1) Hearings of matters by the appeal commission shall be conducted fairly and in accordance with the rules of natural justice.

Type of hearing

6(2) The Chief Appeal Commissioner shall determine whether a hearing takes place by oral hearing, whether in person or by use of technology, or by file review, but the appeal panel may change the type of hearing where it determines before or at the hearing that another type of hearing is necessary or advisable for the proper disposition of the matter.

C.A.C. to decide if a person has a direct interest

6(3) Where a question arises in a matter before the appeal commission whether a person or party is a person who has a direct interest, the Chief Appeal Commissioner shall decide the question.

Appeal of decision of C.A.C.

6(4) A decision of the Chief Appeal Commissioner under rule 6(3) may be appealed to an appeal panel.

Hearings open to public only with consent

6(5) Hearings shall not be open to the public, but an appeal panel may allow a hearing to be open to the public with the consent of all persons who have a direct interest in the matter and who are present for the hearing.

7 WITNESSES

Witnesses

7(1) Parties to an appeal who intend to bring witnesses to a hearing must provide a written list, at least 5 business days before the hearing, identifying the names of the witnesses, with a written summary of the anticipated testimony of each witness. A witness list should be made using Form 4: Witness List.

Compelling Witnesses

7(2) Pursuant to s 55 of the Act, an appeal panel may, at the request of any party to the appeal, or on the panel's own decision, compel the attendance of witnesses, examine witnesses under oath, cause depositions of witnesses to be taken, compel witnesses to answer questions and compel the production of books, papers, documents and other things. Any request by a party should be made using Form 3: Pre-hearing Requests.

Orders

7(3) An order under rule 7(2) shall be issued by the presiding officer only if the appeal panel has decided it is necessary to do so.

Examination of witnesses

7(4) The appeal panel may permit the examination, cross-examination and re-examination of witnesses.

Exclusion of witnesses

7(5) The appeal panel may exclude a witness from the hearing until the witness is called to give evidence.

Affirmation of evidence

7(6) The appeal panel may require a witness in a hearing to affirm the evidence they provide.

Payment of witness fees

7(7) The appeal commission may pay fees and expenses of witnesses compelled to attend the hearing under rule 7(2), in accordance with WCB Policy 21.10.40, [Expenses for Attendance at Appeal Hearings](#). The appeal commission is not responsible for any costs associated with attendance of witnesses for the parties to the appeal.

8 FILING MATERIAL

Filing material for hearing

8(1) Subject to rules 8(2) and 8(3), any evidence or submission provided for consideration at the hearing shall be filed with the registrar not later than 5 business days before the hearing.

Further evidence

8(2) If further evidence becomes available after the filing deadline, the appeal panel may consider a request to file additional evidence at the start of the hearing. Such requests should be made using Form 5: Request to File Additional Evidence.

Written hearing

8(3) In the case of a written hearing, any submission by a person who has a direct interest shall be in writing and filed with the appeal commission not later than 5 business days before the hearing.

Post-hearing

8(4) No additional evidence or submissions will be accepted by an appeal panel after a hearing unless specifically requested or agreed to by the appeal panel.

9 EVIDENCE

Evidence determined by panel

9(1) The appeal panel shall determine any questions respecting evidence, including the relevance of evidence to the matter before the panel.

Panel may receive evidence and information

9(2) The appeal panel may receive and consider evidence and information on affirmation, by affidavit or otherwise, whether or not the evidence or information is admissible in a court of law.

Submissions and evidence at hearing

9(3) Subject to rule 14, in a hearing, the appeal panel shall give any person who has a direct interest in the matter a reasonable opportunity to make submissions and may allow the presentation of additional evidence.

Exhibits

9(4) Any documents received as evidence at a hearing will be marked as exhibits, numbered, and dated. Copies of exhibits will be provided to all persons who have a direct interest in the matter and who are present for the hearing.

Further evidence and submissions

9(5) At the conclusion of a hearing the appeal panel may request further evidence and/or submissions from the parties or from persons who are not parties to the appeal.

10 REVIEW and RECONSIDERATION BY WCB

Where the WCB rescinds or amends a determination of the WCB under s. 60(3) of the Act, any issue remaining before the appeal commission in the original matter shall be amended as required to take into account the change in the determination by the WCB.

11 NOTICE and SERVICE

Notice of hearing

11(1) Where a date is set for the hearing of a matter, the registrar shall give notice to any person who has a direct interest in the matter not less than 15 business days before the hearing, unless all persons who have a direct interest in the matter agree to reduce the time for notice.

Failure to appear at hearing

11(2) Where a person with a direct interest in the matter has been given notice of the hearing but does not attend the hearing, the appeal panel may:

- (a) hear and decide the appeal;

- (b) reschedule the hearing; or
- (c) dismiss the appeal without conducting the hearing.

Service of documents

11(3) For the purpose of these rules, a document may be served personally, by registered mail, by email or by facsimile machine.

Service on representative

11(4) If a person with a direct interest in the matter has an authorized representative, documents may be served on the representative.

Deemed service of document

11(5) A document is deemed to be served on a person

- (a) on the day the document is delivered to the person, or left with an adult person at the last known address of the person to be served;
- (b) if sent by registered mail, on the third business day following the day of mailing; or
- (c) if transmitted by email or facsimile machine,
 - (i) on the day it is transmitted, where it is transmitted during business hours, or
 - (ii) on the next business day following the day it is transmitted, where it is transmitted after business hours.

12 ORAL HEARINGS

Hearings are chaired by the presiding officer of the appeal panel who will direct how the hearing proceeds.

13 RECORD and TRANSCRIPT

Record

13(1) The presiding officer of an appeal panel may direct that a record be made of the hearing.

Copy of transcript

13(2) Where a record is made of the hearing, a person who has a direct interest in the matter is entitled to a copy of a transcript of the record on written request and payment of any fee set by the Appeal Commission.

Other recordings not permissible

13(3) Parties to an appeal are not permitted to use their own equipment to record hearings.

14 ISSUES TO BE DECIDED

Issues at hearing

14(1) Subject to rule 14(2) and 14(3), an appeal panel shall decide only such issues as are identified by the registrar before the hearing.

Additional issues raised

14(2) Where at a hearing an issue is raised that:

(a) was previously determined by the WCB Review Office but was not identified by the registrar as an issue for determination by the appeal panel, the appeal panel may decide the issue.

(b) was not previously determined by the WCB Review Office, the appeal panel may refer the issue to the WCB for determination.

Referral to WCB

14(3) Pursuant to s. 60.8(3) of the Act, the Chief Appeal Commissioner may, at any time, refer a matter to the WCB for further investigation and on completion of the WCB's investigation, may:

(a) direct the WCB to adjudicate the matter; or

(b) direct the appeal panel or another panel appeal to decide the matter.

15 DECISION

Decision of appeal panel

15(1) A decision of an appeal panel shall be provided within 60 days of the completion of the hearing or the date on which all evidence and submission deadlines have expired, whichever is later, and the appeal panel shall immediately communicate the decision, together with written reasons, to the registrar.

Where appeal panel does not make decision

15(2) Where an appeal panel does not provide a decision within the time stipulated under rule 15(1), the Chief Appeal Commissioner shall

(a) expand the time if the Chief Appeal Commissioner determines that an injustice would result if the time were not expanded; or

(b) refer the matter to a new appeal panel comprised of appeal commissioners who were not members of the first panel to hear and decide the matter.

Registrar to provide copy of reasons

15(3) On receiving notice of a decision under rule 15(1), the registrar shall immediately give notice of the decision to the corporate secretary of the WCB and to any person who has a direct interest in the matter.

January 1, 2026

The Appeal Commission

Form 1

Applications to Appeal

THE APPEAL COMMISSION
THE WORKERS COMPENSATION ACT OF MANITOBA

WORKER APPEAL OF CLAIMS DECISION

TO: THE APPEAL COMMISSION
1120 - 330 St. Mary Avenue
Winnipeg MB R3C 3Z5

Telephone: (204) 925-6110
Toll Free: 1 (855) 925-6110
Fax: (204) 943-4393
Email: appeal@appeal.mb.ca

Should you have any questions when completing this form, please contact the **Scheduling Assistant** at (204) 925-6116, toll free at 1 (855) 925-6110 or by email at appeal@appeal.mb.ca

A.

THIS APPEAL IS REQUESTED BY:

Worker Name: _____

Preferred Pronouns
(Optional): _____

Claim Number: _____

Address: _____

City/Town: _____ Province: _____ Postal Code: _____

Phone Number (home): _____ (cell) _____ Email: _____

B.

Name of Representative:
(if applicable) _____

Address: _____

City/town: _____ Postal Code: _____

Telephone Number: _____ Email: _____

If represented on your appeal, you **must provide a separate authorization naming your representative**

C.

Employer when injury/disease occurred: _____

D.

Any required interpretation services will be arranged by the Appeal Commission.

Please check here if you require a hearing in French: ☐

Please check here if you require the services of an interpreter: ☐

Please indicate Language and dialect: _____

E.

ACCOMODATION: Accommodations are arrangements that allow persons of all abilities to participate fully in the appeal process. If you want to request an accommodation to participate in the appeal process at the Appeal Commission, please tell us about your accommodation needs. Provide as much information as you can so we can consider your request and respond.

If you need help with the form or are unable to complete the form, please call us.

F.

I wish to appeal the decision of the WCB Review Office dated: _____

The decision(s) I wish to appeal is (are):

I believe this decision of the WCB Review Office should be overturned for the following reasons:

NOTE:

If providing additional written evidence or submission, this must be sent to the Appeal Commission at least 5 business days prior to the hearing.

G.

METHOD OF APPEAL: Please indicate how you want your appeal heard. (please check one):

VIDEOCONFERENCE ☐

IN OFFICE AT 330 ST. MARY AVE ☐

TELECONFERENCE ☐

FILE REVIEW ☐

If requesting an appeal other than file review, please state the reasons why you consider a hearing is necessary:



The Chief Appeal Commissioner has the final authority to determine the method of appeal.



SIGNATURE: _____ DATE: _____

EMPLOYER APPEAL OF CLAIMS DECISION

TO: THE APPEAL COMMISSION
1120 - 330 St. Mary Avenue
Winnipeg MB R3C 3Z5

Telephone: (204) 925-6110
Toll Free: 1 (855) 925-6110
Fax: (204) 943-4393
Email: appeal@appeal.mb.ca

Should you have any questions when completing this form, please contact the **Scheduling Assistant** at (204) 925-6116, toll free at 1 (855) 925-6110 or by email at appeal@appeal.mb.ca

A.

THIS APPEAL IS REQUESTED BY:

Employer Name: _____ Account Number: _____

Address: _____

City/Town: _____ Province: _____ Postal Code: _____

Telephone Number: _____ Email: _____

B.

Name of Representative: _____ Preferred Pronouns
(if applicable) (Optional): _____

Address: _____

City/town: _____ Postal Code: _____

Telephone Number: _____ Fax Number: _____

C.

Name of Worker: _____

Claim Number: _____

****If you will be represented on your appeal, you must provide a separate signed and dated authorization naming your representative****

D.

Any required interpretation services will be arranged by the Appeal Commission.

Please check here if you require a hearing in French: ☐

Please check here if you require the services of an interpreter: ☐

Please indicate Language and dialect: _____

E.

ACCOMODATION: Accommodations are arrangements that allow persons of all abilities to participate fully in the appeal process. If you want to request an accommodation to participate in the appeal process at the Appeal Commission, please tell us about your accommodation needs. Provide as much information as you can so we can consider your request and respond.

If you need help with the form or are unable to complete the form, please call us.

F.

I wish to appeal the decision of the WCB Review Office dated: _____

The decision(s) I wish to appeal is (are):

I believe this decision of the WCB Review Office should be overturned for the following reasons:

NOTE:

If providing additional written evidence or submission, this must be sent to the Appeal Commission at least 5 business days prior to the hearing.

G.

METHOD OF APPEAL: Please refer to the attached brochure and indicate by which method you wish to pursue your appeal. (please check one):

VIDEOCONFERENCE ☐

IN OFFICE AT 330 ST. MARY AVE ☐

TELECONFERENCE ☐

FILE REVIEW ☐

If requesting an appeal other than file review, please state the reasons why you consider a hearing is necessary:



The Chief Appeal Commissioner has the final authority to determine the method of appeal.



SIGNATURE: _____ DATE: _____

APPEAL OF EMPLOYER ACCOUNT DECISION

includes appeals relating to administrative penalties

TO: THE APPEAL COMMISSION
1120 - 330 St. Mary Avenue
Winnipeg MB R3C 3Z5

Telephone: (204) 925-6110
Toll Free: 1 (855) 925-6110
Fax: (204) 943-4393
Email: appeal@appeal.mb.ca

Should you have any questions when completing this form, please contact the **Scheduling Assistant** at (204) 925-6116, toll free at 1 (855) 925-6110 or by email at appeal@appeal.mb.ca

A.

THIS APPEAL IS REQUESTED BY:		
Name: _____	Preferred Pronouns (Optional): _____	
Address: _____		
City/Town: _____	Province: _____	Postal Code: _____
Telephone Number (home or work): _____		Email: _____

B.

Name of Employer: _____
Account Number: _____

C.

Name of Representative: (if applicable) _____	Preferred Pronouns (Optional): _____
Address: _____	
City/town: _____	Postal Code: _____
Telephone Number: _____	Fax Number: _____

****If you will be represented on your appeal, you must provide a separate signed and dated authorization naming your representative****

D.

Any required interpretation services will be arranged by the Appeal Commission.	
Please check here if you require a hearing in French:	<input type="checkbox"/>
Please check here if you require the services of an interpreter:	<input type="checkbox"/>
Please indicate Language and dialect: _____	

E.

ACCOMODATION: Accommodations are arrangements that allow persons of all abilities to participate fully in the appeal process. If you want to request an accommodation to participate in the appeal process at the Appeal Commission, please tell us about your accommodation needs. Provide as much information as you can so we can consider your request and respond.

If you need help with the form or are unable to complete the form, please call us.

F.

I wish to appeal the decision of the WCB Reconsideration Committee dated:

The decision(s) I wish to appeal is (are):

I believe this decision of the WCB Reconsideration Committee should be overturned for the following reasons:

NOTE:

If providing additional written evidence or submission, this must be sent to the Appeal Commission at least 5 business days prior to the hearing.

G.

METHOD OF APPEAL: Please refer to the attached brochure and indicate by which method you wish to pursue your appeal. (please check one):

VIDEOCONFERENCE ☐

IN OFFICE AT 330 ST. MARY AVE ☐

TELECONFERENCE ☐

FILE REVIEW ☐

If requesting an appeal other than file review, please state the reasons why you consider a hearing is necessary:

➤ *The Chief Appeal Commissioner has the final authority to determine the method of appeal.* ➤

SIGNATURE: _____ DATE: _____

APPEAL OF VICTIM COMPENSATION DECISION

TO: THE APPEAL COMMISSION
1120 - 330 St. Mary Avenue
Winnipeg MB R3C 3Z5

Telephone: (204) 925-6110
Toll Free: 1 (855) 925-6110
Fax: (204) 943-4393
Email: appeal@appeal.mb.ca

Should you have any questions when completing this form, please contact the **Scheduling Assistant** at (204) 925-6116, toll free at 1 (855) 925-6110 or by email at appeal@appeal.mb.ca

A.

THIS APPEAL IS REQUESTED BY:

Claimant Name: _____ Preferred Pronouns
(Optional): _____

Claim Number: _____

Address: _____

City/Town: _____ Province: _____ Postal Code: _____

Phone Number (home): _____ (work): _____ Email: _____

B.

Name of Representative:
(if applicable) _____

Address: _____

City/town: _____ Postal Code: _____

Telephone Number: _____ Fax Number: _____

****If you will be represented on your appeal, you must provide a separate signed and dated authorization naming your representative****

C.

Any required interpretation services will be arranged by the Appeal Commission.

Please check here if you require a hearing in French: ☐

Please check here if you require the services of an interpreter: ☐

Please indicate Language and dialect: _____

D.

ACCOMODATION: Accommodations are arrangements that allow persons of all abilities to participate fully in the appeal process. If you want to request an accommodation to participate in the appeal process at the Appeal Commission, please tell us about your accommodation needs. Provide as much information as you can so we can consider your request and respond.

If you need help with the form or are unable to complete the form, please call us.

E.

I wish to appeal the decision of the Program Director dated:

The decision(s) I wish to appeal is (are):

I believe the decision of the Program Director should be overturned for the following reasons:

NOTE:

If providing additional written evidence or submission, this must be sent to the Appeal Commission at least 5 business days prior to the hearing.

F.

METHOD OF APPEAL: Please refer to the attached brochure and indicate by which method you wish to pursue your appeal. (please check one):

VIDEOCONFERENCE ☐

IN OFFICE AT 330 ST. MARY AVE ☐

TELECONFERENCE ☐

FILE REVIEW ☐

If requesting an appeal other than file review, please state the reasons why you consider a hearing is necessary:



The Chief Appeal Commissioner has the final authority to determine the method of appeal.



SIGNATURE: _____ DATE: _____

Form 2

Notice of Cancellation



NOTICE OF CANCELLATION

Name: _____ Claim/Firm Number: _____

Address: _____

City/Town: _____ Province: _____ Postal Code: _____

Telephone (home): _____ (cell) _____ Email: _____

I cancel my appeal with The Appeal Commission of Manitoba. I understand this means the Appeal Commission will not make a decision on my appeal and the WCB decision I appealed will remain in effect.

Signature

Date

Print Full Name

Appeal may be cancelled

A party may cancel an appeal at any time until a decision is provided.

Filing the Notice

A party who cancels an appeal must file a copy of the notice with the Appeal Commission.

Form 3

Pre-Hearing Requests



THE APPEAL COMMISSION
THE WORKERS COMPENSATION ACT OF MANITOBA

PRE-HEARING REQUESTS

Worker/Employer: _____ Claim/Firm Number: _____

Telephone (home): _____ (cell) _____ Email: _____

I, _____, request:
(insert name)

ADJOURNMENT ☐

SUBPOENA WITNESS ☐

OTHER ☐ _____

This request is required because of the following circumstances:

Signature

Date

Filing the Request

A party who makes a request must file a copy of the request with the Appeal Commission.

Appeal panel to decide

The appeal panel will decide whether to allow the request and may provide oral or written reasons for its decision.

Form 4

Witness List



THE APPEAL COMMISSION
THE WORKERS COMPENSATION ACT OF MANITOBA

WITNESS LIST

Worker/Employer: _____ Claim/Firm Number: _____

Telephone (home): _____ (cell) _____ Email: _____

Witness List of _____ *(insert name)*

Name of witness and Description	Summary of expected evidence

Signature

Date

Filing the Request

A party who is bringing witnesses to a hearing must file the witness list with the Appeal Commission at least 5 business days before the hearing.

Form 5

Request to File Additional Evidence



THE APPEAL COMMISSION
THE WORKERS COMPENSATION ACT OF MANITOBA

REQUEST TO FILE ADDITIONAL EVIDENCE

Do not provide the additional evidence unless asked to do so

Worker/Employer: _____ Claim/Firm Number: _____

Telephone (home): _____ (cell) _____ Email: _____

I, _____, request permission to file additional
(insert name)

evidence for the hearing scheduled for _____.
(insert date of hearing)

Description of additional evidence (e.g. healthcare provider report) and explanation why evidence should be accepted.

Signature

Date

Filing the Request

A party who requests to file additional evidence must file the request with the Appeal Commission.

Appeal panel to decide

The appeal panel will decide whether to accept the additional evidence and may provide oral or written reasons for its decision.