



**Presentation to the Annual
General Meeting**

2006 / 2007

Our Mission

To provide a timely, fair and independant appeals process consistent with legislation policy and the principles of natural justice.

Presentation to the Annual General Meeting
For the Fiscal Year 2006 - 2007

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Welcome from the Chief Appeals Commissioner

Welcome to the 5th Annual General Meeting of the Appeals Commission. The annual general meeting, as required by legislation, is an opportunity for me to report on the performance of the Commission.



The Appeals Commission hears appeals from the decisions made by the Decision Review Body of the Workers' Compensation Board. The Appeals Commission for Alberta Workers' Compensation, established in the Workers' Compensation Act in 1988, is a quasi-judicial body that is separate from and independent of the Workers' Compensation Board.

The Appeals Commission is a separate entity reporting to the Minister of Employment, Immigration and Industry (EII). I will be presenting excerpts from the EII 2006/2007 Annual Report. In addition, I will provide some additional operations information. Also, as required by legislation, I will report the information relating to the Appeals Commission from the most recent annual report of the Auditor General of Alberta.

Excerpts from Employment, Immigration and Industry Ministry Annual Report 2006/2007

Results Analysis

GOAL 7 Linked to Core Business 3 – Industry (Appeals Commission for Alberta Workers' Compensation)

Alberta has an effective mechanism for the final appeal of Workers' Compensation Board decisions

PERFORMANCE MEASURES RESULTS	2005-06	2006-07	Target	Met Target	Variance
7.a Average number of days of processing time required by the Appeals Commission from the date the appeal is received until the appeal is finalized:					
▪ Standard Appeals	214*	172	170		(2)
▪ Complex Appeals	276*	225	230	√	5
7.b Percentage of the total number of Appeals Commission decisions issued that are either not challenged or are not overturned upon review by the Courts, the Ombudsman or by the Appeals Commission on reconsideration.	98.3%	98.0%	Greater than 98.0%	√	--

*2005-06 timelines have been restated to reflect correction as a result of correcting a calculation formula.

Source: Appeals Commission Appeals Management System (AMS)

INTEGRATED RESULTS ANALYSIS – CORE BUSINESS THREE – INDUSTRY

Appeals Commission for Alberta Workers' Compensation

The Appeals Commission for Alberta Workers' Compensation (Appeals Commission) provides a timely, fair and independent appeals process consistent with legislation, policy and the principles of natural justice.

Positive performance measures results for the Appeals Commission occurred as a consequence of a number of factors undertaken in previous reporting periods including additional staffing, procedural changes, revised reporting and a decline in appeals.

Harmonizing staffing with appeal workload combined with the changes in administrative processing and requirements introduced in the 2006-07 fiscal year have had a positive impact on decreasing the number of days taken to process an appeal – bringing the Appeals Commission to within two days of the target set for standard appeals and exceeding the target set for complex appeals by five days.

In the past fiscal year, 98% of the decisions issued were not challenged, or if they were, they were upheld upon review by the Courts, the Ombudsman or the Appeals Commission on its Own Motion. Over the past several years, results in this area have remained relatively consistent. Ongoing effort will be placed on continuing to enhance the competencies of the Appeals Commission through training and recruitment initiatives.

A transparent, open and accessible appeals process is one part of an effective workers' compensation system and will continue to be a core principle of the Appeals Commission's activities.

Comparison of Expenses – Directly Incurred and Capital Investments by Element to Authorized Budget

For the year ended March 31, 2007

(in thousands)

	2006-07 Estimate	Adjustment	Authorized Supplementary	2006-07 Authorized Budget	2006-07 Actual	Unexpended (Over Expended)
Program 6 – Workers’ Compensation Appeals						
6.0.1 Appeals Commission for Alberta Workers’ Compensation						
Operating expense	9,596			9,596	8,702	894
Capital Investment	200			200	-	200
	9,796			9,796	8,702	1,094

Auditor General's Report

A letter to the Chief Appeals Commissioner dated August 30, 2007 stated in part:

We have completed the application of specified auditing procedures to the Appeals Commission for Alberta Workers' Compensation performance measures for the year ended March 31, 2007.

...

...There were no recommendations related to Appeals Commission for Alberta Workers' Compensation arising from our work.

Additional Operating Information

Appeals

Appeals Received	April 1/05 to March 31/06	April 1/06 to March 31/07	Variance
Total number of appeals received	1218	1113	-8.6%

Appeal Types		
Initial claims appeals	99%	98%
Initial assessment appeals	1%	2%

Appeals Finalized			
Total number of decisions issued	1190	1133	-4.8%
Other (withdrawn, dismissed, abandoned)	114	100	-12.3%
Total number of appeals finalized	1304	1233	-5.4%

Appeal Issues Received			
Initial appeals*	2426	2288	-5.7%

*Note: Figure subject to change due to issues being added at finalization

Appeal Issues Finalized			
Upheld initial	1250	1101	
Overtaken initial	555	583	
Partially supported initial	107	71	
Other resolution (referred back to WCB)	364	358	
Other conclusions (withdrawn, dismissed, abandoned)	356	255	
Total appeal issues finalized	2632	2368	-10%

Top 5 Issues of Appeal	April 1/05 to March 31/06		April 1/06 to March 31/07
1. Additional entitlement	15%	1. Additional entitlement	15%
2. Temporary total disability	15%	2. Temporary total disability	15%
3. Responsibility level	11%	3. Responsibility level	10%
4. Medical aid responsibility	8%	4. Medical aid responsibility	8%
5. Acceptability of claim	8%	5. Acceptability of claim	7%
Other	43%*	Other	45%

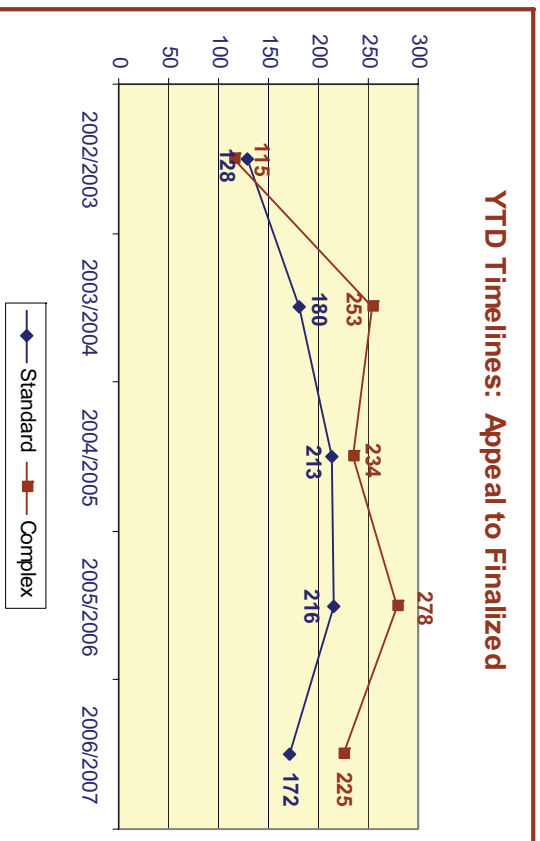
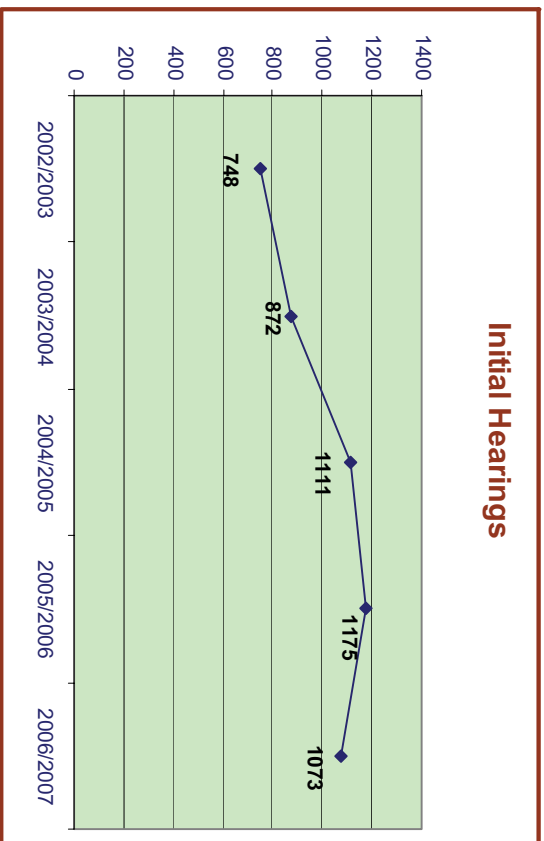
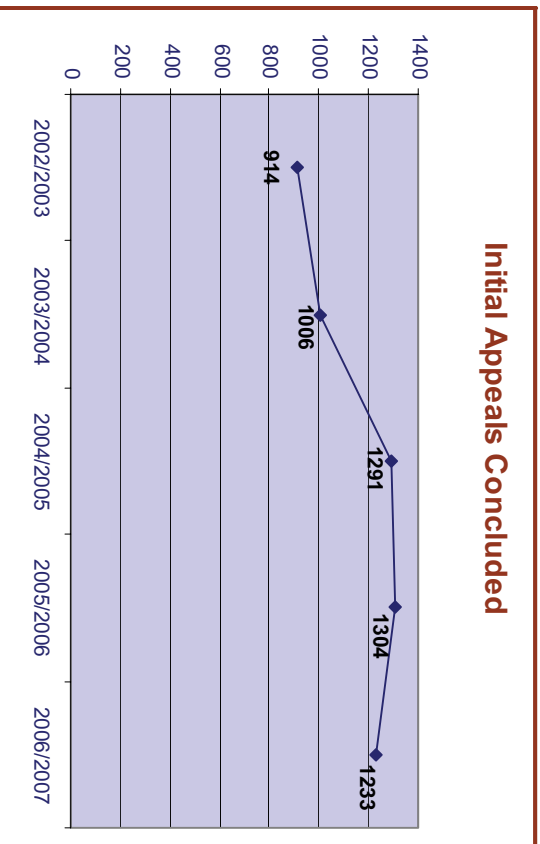
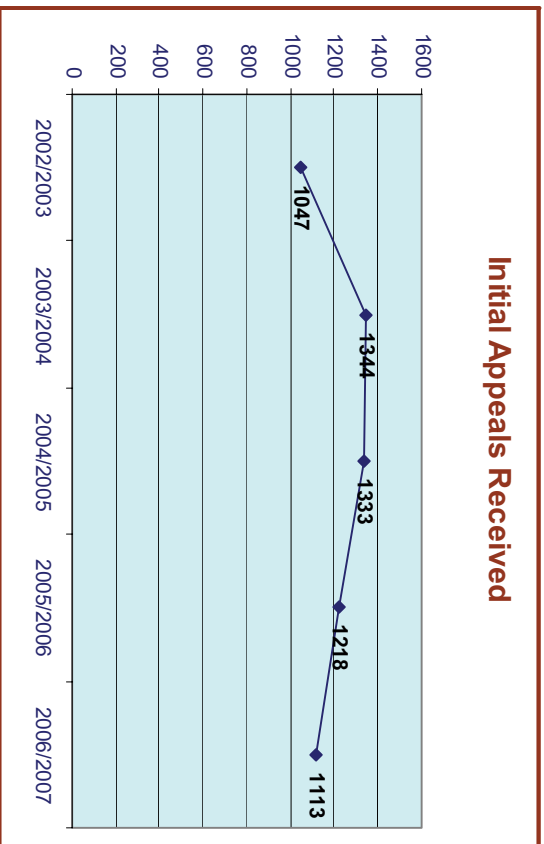
*Restated to include all except top five issues

Initial Appeal Hearing Activities

Total Hearings Conducted	April 1/05 to March 31/06		April 1/06 to March 31/07		Variance
In-Person	77%	905	78%	840	
Written Submission	11%	134	13%	136	
Teleconference	12%	136	9%	97	
Total hearings conducted on initial appeals		1175		1073	-8.7%

Representation at Hearing		
Represented	88%	91%
Unrepresented	12%	9%

Initial Appeals – 5 Year Statistical Comparison



Reconsiderations

Reconsideration Requests	April 1/05 to March 31/06	April 1/06 to March 31/07	Variance
Reconsideration applications received	108	81	-25%

Types of Reconsideration Requests		
Reconsideration claims related	99%	100%
Reconsideration assessment related	1%	0%

Outcome of Reconsideration Applications – Threshold Decisions			
Reconsideration requests granted	15	17	
Reconsideration requests denied	74	69	
Other conclusions (withdrawn, dismissed, abandoned)	19	13	
Total reconsideration applications finalized	108	99	-8.3%

Outcome of Reconsideration on Own Motion – Threshold Decisions		
Granted	3	1
Denied	1	2
Total reconsiderations on own motion	4	3

Outcome of Appeals Being Reheard (Issues in decision)		
Total issues	22	20
Total applications	15	14
Percentage of decisions where we reached the same decision as the original Appeals Commission decision	46%	40%
Percentage of decisions where we reached a different decision than the original Appeals Commission decision	18%	55%
Percentage of decisions where we reached a modified or alternate resolution to the original Appeals Commission decision	36%	5%

