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The Chief Appeals Commissioner has a series of Practice Guidelines to help people who are involved in an appeal to the Appeals Commission. Please contact us for additional Practice Guidelines, Appeal Rules, or other information.

For more information, contact the Appeals Commission for Alberta Workers' Compensation at:

<p><b>Edmonton</b>          1100, 10405 Jasper Avenue          Edmonton, AB T5J 3N4          Tel: 780-412-8700          Fax: 780-412-8701</p>	<p><b>Calgary</b>          2300, 801 – 6<sup>th</sup> Avenue SW          Calgary, AB T2P 3W2          Tel: 403-508-8800          Fax: 403-508-8822</p>
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or, through our web site at [www.appealscommission.ab.ca](http://www.appealscommission.ab.ca)

Let us know if:

- your address or contact information changes
- you choose a representative or your representative changes
- you are no longer a representative for a party to or participant in an appeal

## A. Background

We are committed to processing appeals promptly and effectively. Processing starts when an appeal is filed and continues to ensure that the hearing proceeds on the scheduled date.

Adjournments interrupt the processing of an appeal. They often waste resources and cause unnecessary delay. We grant adjournments only if they are justified.

## B. What if I Cannot Make it to My Hearing?

The Appeals Officer gives the participants notice of the time and date of the hearing. If you cannot make it to the hearing, you will need to discuss this with your Appeals Officer. This is how we deal with such requests:

- It is important to note that if the other participants do not consent to your request for rescheduling or adjournment, the issue may have to be heard by a panel.
- If it is 14 days or more before the hearing is scheduled to take place, the Appeals Officer will work with you to reschedule the hearing or alternatively, ask if you can participate by teleconference.
- If it is less than 14 days before the hearing, the request for rescheduling may need to be heard by a panel. The Appeals Officer will let you know what the decision is.
- If a request is made on the date of the hearing, you should still be prepared to proceed, in case the panel denies the request.

Adjournment requests are considered based on the factors listed in Section C below.

If an appellant does not attend his or her hearing, we may:

- decide to hear the matter on the basis of the documents before us, and the representations of the participant or participants who do attend
- adjourn the matter to a later date, subject to conditions
- adjourn the hearing and consider whether to dismiss the appeal for delay in proceeding

If another participant in a hearing does not attend, the hearing may proceed in their absence. That participant is assumed to have waived its right to receive and respond to evidence and submissions presented at the hearing or received by the Appeals Commission after the hearing.

## C. Adjournment Request

Questions we ask when deciding an adjournment request include:

- were there previous adjournments?
- was the request made as soon as possible?
- were reasonable efforts made to avoid the request?
- could the party seeking the adjournment have foreseen the need for more time? For example, did the participant know additional medical reports would have to be obtained?
- would an adjournment hurt any other participant's interest?
- does the request relate to something substantial to the hearing, such as a witness being unavailable?
- are there other related matters the Workers' Compensation Board is still processing that may have a substantial impact?

### **D. Adjournment Granted**

If an adjournment request is granted, we may give directions and set conditions for further processing of the appeal, including setting a peremptory date for the hearing. A peremptory date means an absolute date with no more adjournments.

### **E. Adjournment Refused**

If an adjournment request is refused, participants have to appear at the hearing ready to proceed. If a participant does not appear at the hearing after an adjournment request is refused, the hearing may proceed. In exceptional circumstances, we may dismiss the appeal.

### **F. What Next?**

For information on the next steps in the appeal process, please refer to *Practice Guideline 3: The Hearing and Decision*.