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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:

Edmonton	Calgary
1100, 10405 Jasper Avenue	2300, 801 – 6 th Avenue SW
Edmonton, AB T5J 3N4	Calgary, AB T2P 3W2
Tel: 780-412-8700	Tel: 403-508-8800
Fax: 780-412-8701	Fax: 403-508-8822

or, through our web site at 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 participate in an appeal

A. Timeliness

Several sections in the *Workers' Compensation Act* have time-sensitive requirements. The appeal process and the decision should not have long delays.

Timeliness is important in an appeal because:

- Medical evaluations need to occur soon after an accident to accurately assess work-related injuries.
- Evidence may be lost over time.
- Witnesses, including doctors, may become unavailable.
- Medical conditions may develop, degenerate, or resolve over time.
- Long delays may raise a presumption of prejudice (or harm). In compensation cases, the prejudice may be to parties involved, but it may also be to the compensation system itself, and the public's confidence in the administration of justice.

All these factors hamper effective decision-making.

A person dissatisfied with a Workers' Compensation Board (WCB) decision can appeal it, but they must do so promptly and responsibly. Because timeliness is important, we may dismiss an appeal if the appellant has taken no action for six months or more when the appeal has been adjourned or there is a notice of deficiency in the appeal. We may also dismiss an appeal if an appeal has been filed, a hearing date has not been scheduled, and no further action has been taken by the appellant.

B. Notice of Intention to Dismiss an Appeal

Dismissing an appeal is serious because it removes a person's right to question a review body's decision. Therefore, we will only dismiss an appeal after providing an opportunity for submissions from the participants and fully examining the details of a case.

We take reasonable steps to ensure that the participants receive proper notice of any hearing affecting the appeal. We give written notice that we will review an appeal because of the time it has been dormant. The appellant will have an opportunity to make submissions explaining the delay and why we should not dismiss the appeal. We will also give the appellant any submissions from the other participants and an opportunity to respond to them.

C. The Decision

After the participants make submissions, the matter goes to a panel. This panel decides whether to dismiss or continue the appeal. If the panel does not dismiss the appeal, it may give directions and set conditions for further processing of it, and set a fixed non-negotiable date for the hearing. If the panel dismisses the appeal, it will give its reasons for doing so. The decision of the panel is final. If the appeal is dismissed, the appeal process has ended and cannot be restarted.

D. Criteria for Dismissing an Appeal

We will consider dismissing an appeal when:

- The appellant does not respond when we notify them of our intent to dismiss the appeal. We use the last known address of the appellant. The appellant must notify us and the WCB of any change of address.
- The appellant has not taken any steps since the adjournment to resolve the matters for which the adjournment was granted.

For more information about the dismissal of appeals, see Appeal Rule 3.13.