



This factsheet has been prepared for general information purposes. It is not a legal document. Please refer to the *Workers Compensation Act* and the *Rehabilitation Services and Claims Manual, Volumes I and II* for purposes of interpretation and application of the law.

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AVOIDING PROBLEMS WITH YOUR CLAIM

Being injured or disabled from work can be a very stressful time. Dealing with WorkSafeBC at the same time you're coping with your medical problems can be a challenge.

Here are some tips that may help you avoid some common problems, and deal with others.

At the start of a claim

- Report your injury or occupational disease to your employer as soon as possible. Failure to do so may result in your claim being denied.
- Seek medical treatment as soon as possible, and tell your doctor that it was a workplace accident. Give your doctor a complete description of all your injuries and symptoms.
- File a claim to WorkSafeBC as soon as possible. You can file your written application online, fax or mail. The form is available on WorkSafeBC's website. You can also make your claim by phone.
- When reporting to WorkSafeBC, be sure to
 - Provide a complete description of when and how you were injured, what injuries you suffered, and all body parts affected.
 - Tell WorkSafeBC who else you reported the injury to, i.e. employer, first aid, or doctor.
 - Provide WorkSafeBC with contact information for your physician or other health care providers.
 - Tell WorkSafeBC if you are missing time from your employer, and if you have any secondary employment

AVOIDING PROBLEMS WITH YOUR CLAIM

During a claim

Help WorkSafeBC help you:

- Be sure to provide all of the information and complete all of the forms.
- Arrive on time for appointments, return calls, and keep in touch with the person who is handling your claim.
- Co-operate as best you can in the medical assessment and vocational rehabilitation processes
- Follow up with your doctor on a regular basis, and report on all of your injuries and symptoms. This will enable him or her to report to WorkSafeBC on your progress, and your needs for diagnostic assessment, treatment and medications.
- If your injury or symptoms worsen, see your health care provider immediately and follow up with contacting WorkSafeBC. Ensure this information is well documented.
- If you suffer another injury while in therapy or vocational rehabilitation, report it right away, and make sure that it is clearly documented by whoever is supervising. Also report the injury to your family doctor as soon as possible.
- If you find yourself in the position of not earning wages and not receiving benefits from WorkSafeBC, you should consider other sources of income, such as E.I., welfare, CPP Disability, and any short term or long term disability insurance coverage that you may have from your employer.

Delays and communication problems

Try to stay calm. While dealing with delays and problems can be very frustrating, emotional outbursts only make things worse.

Your phone calls should be returned within two business days. If this isn't happening, you should contact the person's Client Services Manager. If the manager doesn't resolve your concern, you can contact the WorkSafeBC Fair Practices Office or the B.C. Ombudsman (contact information below).

If you run into difficulties dealing with WorkSafeBC, you should document your communications in writing, and keep copies for your records. This will serve as evidence later, if you need it.

AVOIDING PROBLEMS WITH YOUR CLAIM

WorkSafeBC decisions

Read all letters from WorkSafeBC very carefully, even though they may be long. Pay special attention to long term wage rate decisions. If these are set too low, all of your financial benefits will also be too low, potentially for the whole life of the claim.

You can challenge any decision regarding benefits on your claim. If you think that there may have been a simple misunderstanding, you can ask WorkSafeBC to reconsider the decision. If they agree, they can change the decision so long as they do so within 75 days. Otherwise, you will have to file a request for review with the Review Division with 90 days of the original decision. Be careful not to miss this deadline.

Concerns with WorkSafeBC other than benefits decisions

Sometimes workers have concerns about the way WorkSafeBC has handled their claims that cannot be addressed through reviews. They may feel that WorkSafeBC staff have treated them rudely, acted too slowly, or acted without reasonable competence. In such cases, WorkSafeBC's Fair Practices Office may be able to help. You may also wish to contact the office B.C. Ombudsperson. The contact information for each is as follows:

WorkSafeBC Fair Practices Office

Phone: 604 276 3053
Fax: 604 276 3103
Toll Free: 1 800 335 9330

B.C. Ombudsperson Office

Phone: 1 800 567 3247
Fax: 1-250 387-0198
Website: <http://www.ombudsperson.bc.ca>