



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.

Factsheet #20
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DELAYS AND COMPLAINTS

You are not alone

It is well recognized by all parties that the WorkSafeBC system does not work as quickly as everyone would like, and that people dealing with the system will not always be happy with how they are treated, or with what they receive. While the various areas of WorkSafeBC and the Appeal Tribunal are working to provide a high level of service, you may not feel as though you or your case is being treated in a timely or appropriate manner. You are not alone, and there are some steps that you can take to resolve your problems.

GENERAL TIPS

Stay calm

While it is difficult and frustrating to deal with the often-devastating effects of delays and problems with WorkSafeBC, a calm and reasoned approach is necessary when dealing with WorkSafeBC. Emotional outbursts or a lack of control can lead to additional problems, which detract from the issue at hand.

Co-operate

Make sure all of the information and forms that WorkSafeBC has asked for are provided. Arrive on time for scheduled appointments and co-operate to the best of your ability in the medical or vocational rehabilitation process. Be willing to assist WorkSafeBC personnel to do their job.

Be available

See that WorkSafeBC has your current address and phone numbers. Return calls, and keep in touch with the person who is handling your claim.

Ask in writing, get a written response

If you feel you should receive something that has not been provided, such as benefits, services, or a decision letter, call WorkSafeBC, find out who is responsible, talk directly to that person, and follow up your request with a letter. Ask for a written response, and do not forget to provide your claim number. **Always keep copies of everything you send to WorkSafeBC.**

For more information:
Website: www.labour.gov.bc.ca/wab



Lower Mainland/Fraser Valley/Kootenays: 1-800-663-4261
Northern & Central Interior: 1-800-663-6695
Vancouver Island: 1-800-661-4066

DELAYS AND COMPLAINTS

Get a time commitment

When requesting or expecting anything from WorkSafeBC, ask the person responsible when the benefits or decision will be provided, write it down, and follow up on or about that date with WorkSafeBC.

COMMON CONCERNS

Why is my claim held-up?

Call your WorkSafeBC Regional Office, provide your claim number and ask to speak the person handling your claim. Ask that person what he or she is doing on your claim, when he or she will be finished, and if he or she needs anything from you. Again, follow up at the appropriate time.

I have left several messages with the appropriate WorkSafeBC person, and he or she is not calling me back.

Staff at WorkSafeBC should be returning calls within 24 or 48 hours and if they are not on a regular basis, it may be advisable to contact the Client Services Manager. After giving the person responsible a reasonable chance to respond you should climb the supervisor ladder until you get answers to the questions you have asked. Stay calm, but be persistent.

I did not get my benefit cheque and I don't know why.

Contact the person handling your claim to see if there is an administrative problem, or if a decision has been made in your claim. If a decision has been made on your claim, then insist on a decision letter. You can also register for direct deposit of your benefits into your bank account. In order to do so, you have to contact WorkSafeBC and provide your banking information. This can be done over the phone.

I have a decision letter denying benefits or services.

Call the author of the decision to see if there is something that you can do or provide so that the decision can be reversed. Seek the advice of an experienced representative. Obtain all of the information that you can on the review and appeals process including other Workers' Advisers Factsheets. Put in the request for review or appeal forms within the time limits. Prepare your evidence and arguments.

Remember: each decision letter must be appealed separately.

I haven't heard from the Review Division or WCAT. What should I do?

DELAYS AND COMPLAINTS

Call the Review Division or WCAT to confirm if they got your Request for Review form or your Appeal Form.

When you call, you may want to get an estimate on how soon it will be heard. When contacting the Review Division or WCAT, always have your claim number available. If you have internet access, you can also check the status of your review or appeal by going on the Review Division or WCAT website. For the Review Division, you need your review registration number.

I believe that I have been treated unfairly on an un-appealable issue, and WorkSafeBC or an appeal body will not listen to me.

In certain circumstances, WorkSafeBC Fair Practices Office or your MLA can be of assistance, and you may want to call them to discuss your concern. If your complaint is against the Workers' Compensation Appeal Tribunal (WCAT), you may call the B.C. Ombudsman, as the WCB Ombudsman does not have the jurisdiction to deal with the WCAT. The contact information appears below:

WorkSafeBC Fair Practices

Telephone: 604-276-3053

Fax: 604-276-3103

Toll Free: 1-800-335-9330

Website: http://www.worksafebc.com/contact_us/fair_practices_office/

B.C. Ombudsman

Toll free: 1-800-567-3247

Fax: 1-250 387-0198 (Victoria)

Website: <http://www.ombudsman.bc.ca>

I have been cut off from benefits and I have no money coming in.

If you are in this situation and your claim has been appealed, the situation may go on for many months and you should consider looking for other sources of income such as: Short term/Long term Disability Plan if you have one, E.I., Income Assistance, B.C. Human Resources Disability Benefits, or CPP Disability.