



# Injured at Work: Workers' Compensation Board and the Office of the Workers' Advocate

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## 1. Injured at Work

### Q: What should I do if I get injured at work?

- Get medical help right away if you need it. If you go to a doctor's office or a hospital, tell them you were injured at work.
- Tell your supervisor or employer that you have been injured (hurt) and how it happened.
- Fill out the *Worker's Initial Report of Injury (W1)* form as soon as possible and send it to the Saskatchewan Workers' Compensation Board (WCB).

## 2. The Workers' Compensation Board

### Q: What is the Workers' Compensation Board (WCB)?

In Saskatchewan, a law called the *Workers' Compensation Act* governs the Workers' Compensation Board (WCB). If you are injured at work, you might be eligible for payment of all or part of your salary, this is called "compensation." The WCB is an organization that manages the compensation (payment) system for workers who are injured at work. If injury or death happens because of work activities, WCB provides financial protection (money), medical benefits (such as doctors' appointments and

medicines) and rehabilitation services (such as physiotherapy) to injured workers and their dependents (family).

Workers' compensation is a *no-fault system*, which means that if you receive compensation for an injury that happened at work you cannot sue (take legal action against) your employer.

Most workers in Saskatchewan are automatically covered by the Saskatchewan Workers' Compensation system. However, there are some instances where the worker is not covered, for example:

- If you are a teacher; you are covered by the [Saskatchewan Teachers' Federation](#) laws.
- If you are a farmer; you need to pay a fee (money) to WCB in order to have injury protection for you or your employees.

If you do not know if you are covered by the Workers' Compensation Board, ask your employer or the WCB.

### **Saskatchewan Workers' Compensation Board**

200 – 1881 Scarth Street

REGINA, SK S4P 4L1

Phone: (306) 787-4370 (Regina)

Toll-Free (no cost): 1-800-667-7590

Fax: (306) 787-4311

Toll-Free (no cost) Fax: 1-888-844-7773

Website: [www.wcbsask.com](http://www.wcbsask.com)

### **Q: What is an injury claim?**

If you are injured at work, it is very important that you tell your employer. You will need to fill out a WCB *Worker's Report of Injury* form. WCB will also require an *Employer's Report of Injury* and a *Physician's Report of Injury*. These documents are needed to start the injury claim process.

You will be assigned a WCB Case Worker who will review these documents and request any additional information necessary to make a decision. For example, the WCB decision could be to accept your injury claim and to provide benefits to you. The WCB staff will work with you, your employer, and your health care professional(s) to help you return to work as soon as possible.

An injury claim may require many decisions to be made by the WCB and sometimes you may have concerns or not agree with a WCB decision. For example, WCB may decide to end your rehabilitation benefits; however, you or your doctor may disagree and feel you need a bit more time to heal. If so, you are able to appeal the WCB's decision.

### 3. Appealing a WCB Decision

#### Q: What if I don't agree with the WCB's decision?

If you do not agree with a decision made by the WCB, you or your family can ask for a review or appeal the decision that was made.

The Workers' Compensation Act allows for an *appeal process* – a method of having the WCB decision reviewed. Workers, their families, and employers are allowed to request an appeal of a WCB decision.

**Please note:** If you appeal a WCB decision, a complete review of your WCB injury claim will result. If you are currently receiving compensation benefits, it is possible that your existing benefits may either increase or decrease as a result of the review.

#### Q: Who can help me appeal a WCB decision?

The appeal process is easy to access. You don't need experience or money to present your case and, if you need help at any time during the process, you can give permission to someone else to represent you. You can ask for help from:

- **A Representative of Your Choice**

You can choose anyone to present your concerns to the WCB or to get information about your injury claim from the WCB. Some examples are: a family member, an Advocate from the [Office of the Workers' Advocate](#), a lawyer, or a union representative. You must complete and sign an [Authorization Letter of Representation](#) form and mail or fax it to the WCB.

- **Office of the Workers' Advocate**

You, your family or your authorized representative can get free advice or assistance from the [Office of the Workers' Advocate](#). The Advocates who work at the OWA are experts in the WCB process and together have over 90 years of experience working with WCB laws. (See [section 4](#) of this fact sheet for more information.)

- **Fair Practices Office**

This office can investigate any issues related to WCB's procedures or administration. Should you feel a *procedure or process* is not fair, you can contact the [Fair Practices Office](#) at:

Phone: (306) 787-8651

Toll-Free (no cost): 1-888-787-8651

Fax: 306-787-6751

Toll-Free (no cost) Fax: 1-866-787-6751

E-mail: [fairpracticeoffice@wcbask.com](mailto:fairpracticeoffice@wcbask.com)

### **Q: How do I appeal a WCB decision?**

You must appeal a WCB decision by writing a letter and sending it to the WCB by mail or fax or you can complete an online [Appeal Submission](#) on the WCB website. Your letter should answer these 3 questions:

1. What decision are you appealing?
2. Why do you feel the decision is wrong?
3. What results would you like from your appeal?

### **Q: What is the appeal process I must follow?**

The [appeal process](#) has several steps.

#### Step 1: Initial Review

Contact your WCB Case Manager to discuss the decision and if you have any new information to support your appeal, such as a doctor's report, you should give this information to your Case Manager. Misunderstandings and disagreements can often be resolved at Step 1.

#### Step 2: WCB Appeals Department

If you disagree with the written decision of your WCB Case Manager, you can start Step 2 of the appeals process. You must write a letter to the WCB Appeals Department or fill out an online [Appeal Submission](#) form. An Appeals Officer will be assigned to you, and you can ask to meet with him or her to talk about your appeal.

#### Step 3: WCB Board Members

If you disagree with the decision of the Appeals Department, you can make a written request for a review by the WCB Board Members. In the letter you can also ask to meet with the Board Members. The decision of the WCB Board Members is final.

#### Step 4: Medical Review Panel

You can only ask for a [Medical Review Panel](#) of your WCB decision after all other appeal steps have been completed AND only if a true medical question exists – *Does your doctor disagree with the WCB on your injury?*

The decision of the Medical Review Panel is final.

#### **Q: What can I do to help with my WCB appeal?**

It is important that you:

- See your doctor regularly for ongoing care of your injury.
- Go to all of your medical appointments.
- Continue or complete all medical treatments your doctor recommends. For example, your doctor may ask you to do specific exercises at home or ask you to use a medical aid such as crutches to help heal your injury.
- Update your WCB Case Manager on any new information about your injury. For example, your doctor may tell you that you can return to work, or that your doctor has asked you to see another medical specialist.
- Make sure that you get a letter for each WCB decision.
- Get a copy of your injury claim (case file) to check if there are any mistakes or errors that need to be corrected.

#### **Q: Why is my appeal taking so long?**

Your appeal may be delayed if:

- There are a number of issues that have to be reviewed. For example: review of your wage benefits, your medical diagnosis is uncertain, you have conflicting medical reports, etc.
- Medical information is needed from a specialist, doctor, chiropractor, or other health care professional.
- Medical or other investigations have to be completed.
- Other claims for injuries you have had may need to be reviewed.
- You request that the appeal be placed on hold.

## 4. Office of the Workers' Advocate

### **Q: What is the Office of the Workers' Advocate (OWA)?**

The Office of the Workers' Advocate (OWA) are experts in Saskatchewan WCB rules and laws and they provide a free service that can help you or your family when you disagree with a decision made by the WCB about a work-related injury or disease.

You or your family must contact the [Office of the Workers' Advocate](#) to ask for their help.

#### **Office of the Workers' Advocate**

3<sup>rd</sup> Floor, 1870 Albert Street

REGINA, SK S4P 4W1

Toll-Free (no cost): 1-877-787-2456

Phone: (306) 787-2456 (Regina)

Fax: 306-787-0249

Website: [www.lrws.gov.sk.ca/office-workers-advocate](http://www.lrws.gov.sk.ca/office-workers-advocate)

### **Q: Will the Office of the Workers' Advocate (OWA) charge me a fee?**

No. The Workers' Advocate helps you for free.

### **Q: What happens when I ask the Workers' Advocate for help?**

The Office of the Workers' Advocate (OWA) will ask you to speak with an Intake Officer. An Intake Officer will talk to you about your WCB injury claim, discuss your concerns, answer any questions you may have, and may help you with your WCB appeal.

If the Intake Officer decides that further investigation of your injury claim is needed, an "Advocate" (an expert in workers' compensation rules and laws) will be assigned to you. Your Advocate will review your WCB injury claim to see if they can help you.

If the Workers' Advocate decides they can help, they may:

- Conduct research on the nature of your injury
- Ask for help from your doctor and medical specialist
- Write an appeal letter to WCB on your behalf asking for a review of your injury claim (case file) using WCB rules and laws
- Meet with you to talk about your injury claim
- Meet with the WCB

## **Q: When will OWA stop helping me with my WCB injury claim?**

The OWA will only stop helping with your injury claim (case file) when:

- The OWA has reviewed your injury claim and decides that no mistakes have been made by the WCB in applying the WCB rules and laws.
- Medical evidence is not available or does not support your injury claim.
- The OWA has looked at the risks involved in appealing your injury claim and has decided you should not appeal because you may get less compensation (money, medical benefits or rehabilitation services) than you are receiving right now.
- You ask someone other than the OWA to represent you, such as a lawyer or union representative.
- You ask the OWA to stop because you do not wish to continue with an appeal.
- Your claim (file) has been resolved.
- A decision has been made by the WCB Board Members (they are the last level of appeal in the appeal process).

### **Office of the Workers' Advocate**

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**This document contains links and is best viewed online.  
This document, along with information on other topics,  
is available in various languages at:**

[www.saskimmigrationcanada.ca/information-in-various-languages](http://www.saskimmigrationcanada.ca/information-in-various-languages)

### **Questions?**

Email: [immigration@gov.sk.ca](mailto:immigration@gov.sk.ca)

Tel: (Canada 001) 306-798-7467

Website: [www.saskimmigrationcanada.ca](http://www.saskimmigrationcanada.ca)