

Requesting Reconsideration of a Claim Decision

If you disagree with a Compensation Services decision, first discuss the matter with the person who made the decision. If you have new information, provide this information to the person who made the decision and ask them to reconsider their decision. If you continue to disagree after you receive the written decision from Compensation Services, you have the right to request reconsideration by the Review Office.

How do I have the Review Office reconsider a decision?

You can either write a letter or complete a [Request for Review form](#). The form is available on the WCB's website at wcb.mb.ca or by calling the Review Office at 204-954-4462 or toll free 1-855-954-4321.

Your request should:

- identify the date of the decision you wish to have reconsidered
- provide the reasons you disagree with the decision

Your request can be sent by mail, fax or email:

Review Office
333 Broadway
Winnipeg MB R3C 2X4

Fax: 204-954-4999 or toll free 1-877-872-3804

Email: reviewoffice@wcb.mb.ca

Who will be reviewing the decision?

A Review Officer is senior WCB staff with considerable knowledge and experience who will review the claim and decision at a worker's, employer's or authorized representative's written request.

What is involved in a reconsideration?

Once a reconsideration request has been assigned to a Review Officer, an initial claim review will take place. Reconsiderations are reviewed in the order they are received. The Review Office will acknowledge the reconsideration by advising the worker, employer and their authorized representatives that a reconsideration request has been received. The other party is given the option to participate in the reconsideration. If they choose to participate, an information sharing process along with notice to all parties will be followed.

An initial review will be done to determine if the Review Office can proceed with a reconsideration of the issue. The Review Officer considers the available information, and decides if there is an appealable issue, or if additional investigation is needed. If further investigation is needed, the issue under appeal may be sent back



to the original decision maker to provide an updated decision after further investigation has been conducted.

Should new information be submitted during the reconsideration process, the new information will be provided to the parties participating in the reconsideration for their response prior to the Review Office rendering a decision.

Once a decision has been made, a letter will be sent outlining the Review Office decision and reasons for the decision.

The length of time for the review process will vary, depending on the issues under appeal, the information sharing process (outlined above) or if further information is required. The majority of decisions are completed within 60 days from the date the reconsideration is listed in the Review Office.

Can I get a copy of the claim file?

As part of the reconsideration process, either party or their agent may request a copy of the claim file before providing their appeal submission or responding to the other party's appeal. With some exceptions, workers and their agents are entitled to the entire file. Employers and their representatives are entitled to the file content relevant to the matter being considered. Determination of what content the WCB can release is outlined in [Policy 21.50, Information Protection, Access and Disclosure](#). The brochure, *Accessing Your Information*, from the WCB provides additional information.

To obtain a copy of the file content to which you are entitled call the WCB File Access Department at 204-954-4453 or toll free 1-855-954-4321, ext. 4453. The first copy and any updates are free.

What if I require assistance with the appeal?

The Worker Advisor Office is a free service available to assist workers:

401 York Ave
Winnipeg MB R3C 0P8
Phone: 204-945-5787 or toll free 1-800-282-8069, ext. 5787
Email: wao@gov.mb.ca

The Employer Advisor Office is a free service available to assist employers:

401 York Ave
Winnipeg MB R3C 0P8
Phone: 204-945-3363 or toll free 1-800-282-8069, ext. 3363
Email: eao@gov.mb.ca

What if I disagree with the Review Office's decision?

If you do disagree with the Review Office's decision and have new information, you can submit a new request for reconsideration along with the new information to the Review Office.

Otherwise, you have the option of proceeding to the final level of appeal, the Appeal Commission. While the Appeal Commission operates independently from the WCB, it is bound by *The Workers Compensation Act* and WCB Policies.

You can contact the Appeal Commission by mail, phone, fax or email:

1120-330 St. Mary Ave
Winnipeg, MB R3C 3Z5
Phone: 204-925-6110 or toll free 1-855-925-6110
Fax: 204-943-4393
Email: appeal@appeals.mb.ca

An appeal form is available to download or fill out online: www.appeal.mb.ca.

What if I still have questions?

If you would like a form or Policy sent to you or have questions about the Review Office, call 204- 954-4462 or toll-free 1-855-954-4321 or email ReviewOffice@wcb.mb.ca.

For additional resources visit the WCB's website at www.wcb.mb.ca or view the [Policy 20.10, Reconsiderations](#) here.

This publication is provided for general information. It is not intended to be legal advice, and should not be relied on as such. For more specific information, see The Workers Compensation Act and Regulations and WCB Policies. These documents are available on the WCB website at wcb.mb.ca.

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**If you're
hurt at work,
we're
here to help.**