

Agency, Board or Commission	Workers Compensation Appeal Tribunal
1 Statute	Workers Compensation Act (R.S.P.E.I. 1988, Cap. W-7.1)
2 Purpose	The Workers Compensation Appeal Tribunal (WCAT) is a quasi-judicial body authorized to conduct hearings/appeals from interested parties, mostly injured workers and employers, who are dissatisfied with a decision of the Internal Reconsideration Officer of the Workers Compensation Board (WCB), and any matter referred to it by the Board.
3 Functions	Each case is heard by a tribunal panel comprised of one chairperson, one worker representative and one employer representative. Decisions of the panel are final and binding. Should a party be dissatisfied with a panel decision, the matter may be appealed to the Supreme Court of Appeal on questions of law or jurisdiction.
4 Primary Role	Circle: <u>Adjudicative</u> or Non-adjudicative
Material Role	Circle: Strategic Development - Advisory - Professional Organization - <u>Managerial/Oversight</u>
5 Composition	Section 56(7) of the Workers Compensation Act provides for the establishment for this appeal tribunal consisting of a chairperson, one or more vice-chairpersons and as many members, equal in number, representative of employers and workers respectively as the Lieutenant Governor in Council may determine, all of whom shall be appointed by and shall hold office at the pleasure of the Lieutenant Governor in Council.
6 Formal Qualifications	No guidelines outlining membership qualifications exist. It has been practice that the Chairs and Vice-Chairs be lawyers licensed to practice in PEI.
7 Work & Experience Requirements	No requirements exist, although tribunal members typically reflect the perspectives of Island employers or labour .
8 Skills Required	It is important that members can acquire a working knowledge of the Workers Compensation Act and Regulations. It is also necessary that members have the ability to read and understand written materials that involve complex medical and legal issues.
9 Statutory Nomination Requirements	The WCAT chair, vice-chairs and representatives are appointed by and hold office at the pleasure of the Lieutenant Governor in Council. The Act requires the Lieutenant Governor in Council to consider submissions respecting membership, made by workers and employers.
10 Traditional Nomination Requirements	Typically, organizations representing employers and workers (e.g. PEI Federation of Labour) are invited to suggest individuals for consideration. The roles of Chair and Vice-Chairs are typically filled by licensed lawyers. Tribunals are held in both Charlottetown and Summerside. When selecting WCAT members, travel burdens may be a consideration.

11	Remuneration	Category A-1
12	Anticipated Time Commitments	Each tribunal is heard by a panel consisting of one Chair (or Vice-Chair), one worker representative, and one employer representative. Typically, a hearing day consists of two ½ day tribunals, with the panel overseeing both matters. Following the tribunal, the panel chair is required to prepare a written decision. Panel members are selected based on their availability at the time of the hearing. In the calendar year 2007, approximately 40 tribunal hearings will be scheduled and heard.
13	Other Notes	
14	Vacancies	The legislation requires an equal number of employer and worker representatives. Currently the worker representatives outnumber the employer representatives eight to seven. One of the seven employer representatives has submitted his resignation and another has moved from the province and is unavailable to participate on panels. It is therefore contemplated that these two appointments will be rescinded and, in turn, three additional employer representatives will be appointed to rebalance the Tribunal.