



# WORKER'S HANDBOOK

**Information about the  
Workers' Compensation  
Board of the Northwest  
Territories and Nunavut**

## **Workers' Compensation Board Mission Statement**

*Promote safe work practices  
and provide fair benefits.*

### **Worker's Handbook**

#### **The purpose of this handbook is to:**

- give workers general information about the Workers' Compensation Board.
- help injured workers learn about the claim process.

The handbook is for public education, not for legal use.

#### **To contact Workers' Compensation Board offices:**

Yellowknife: Phone: (867) 920-3888 Toll Free: 1-800-661-0792

Box 8888, Yellowknife, NWT X1A 2R3

Toll Free Fax: 1-866-277-3677

Rankin Inlet: Phone: (867) 645-5600

Iqaluit: Phone: (867) 979-8500 Toll free: 1-877-404-4407

Website: [www.wcb.nt.ca](http://www.wcb.nt.ca) or [www.wcbnunavut.ca](http://www.wcbnunavut.ca)

#### **To contact the Workers' Advisor Office:**

Yellowknife: Phone: (867) 873-4345

Toll free: 1-877-816-0166

# **KEY WORDS**

## **Appeal:**

An appeal is when you ask the WCB to change a decision about your claim.

## **Benefits:**

Benefits are payments, medical treatment, and other services you get when your claim is accepted.

## **Claim Process:**

The claim process starts when you, your employer, or a doctor or nurse tells the WCB you were injured at work. The claim process has three steps:

- 1) the claim is filed;
- 2) the WCB accepts your claim;
- 3) benefits are calculated.

## **Compensation:**

Compensation is money the WCB pays you to replace part of your salary or wages if you can't go to work because you got injured.

## **Coverage:**

Coverage means that you have WCB insurance.

## **Entitlement:**

Entitlement means you have the right to get benefits. It takes four things to be entitled:

- 1) you are a worker;
- 2) you got hurt at work;
- 3) there is proof you were injured at work; and
- 4) there are medical reports that describe your injury and treatment.

## **Independence aid:**

An independence aid is something you need to help with a disability. Some examples are: a hearing aid, a wheel chair, an artificial arm or leg, a leg brace.

**Industrial disease:**

An industrial disease is a long-term sickness caused by your work. Two examples are white hands and progressive noise-induced hearing loss.

**Pension:**

A pension is a payment to a worker for a permanent disability. If you die in a work accident, your spouse and/or other dependents get a pension.

**Reimbursement:**

Reimbursement is money you get back, after you spend your money on something the WCB covers. An example is prescription drugs. You pay for the drugs and give your receipts to the WCB. The WCB then pays you back.

**Workers' Advisor Office:**

The Workers' Advisor Office helps people with their WCB claim. The services are free and confidential.

**YMIR:**

YMIR stands for Year's Maximum Insurable Remuneration. It is related to average wages and can change. It is the highest amount of benefits that the WCB pays a worker in one year. The YMIR for the year 2002 is \$63,350.

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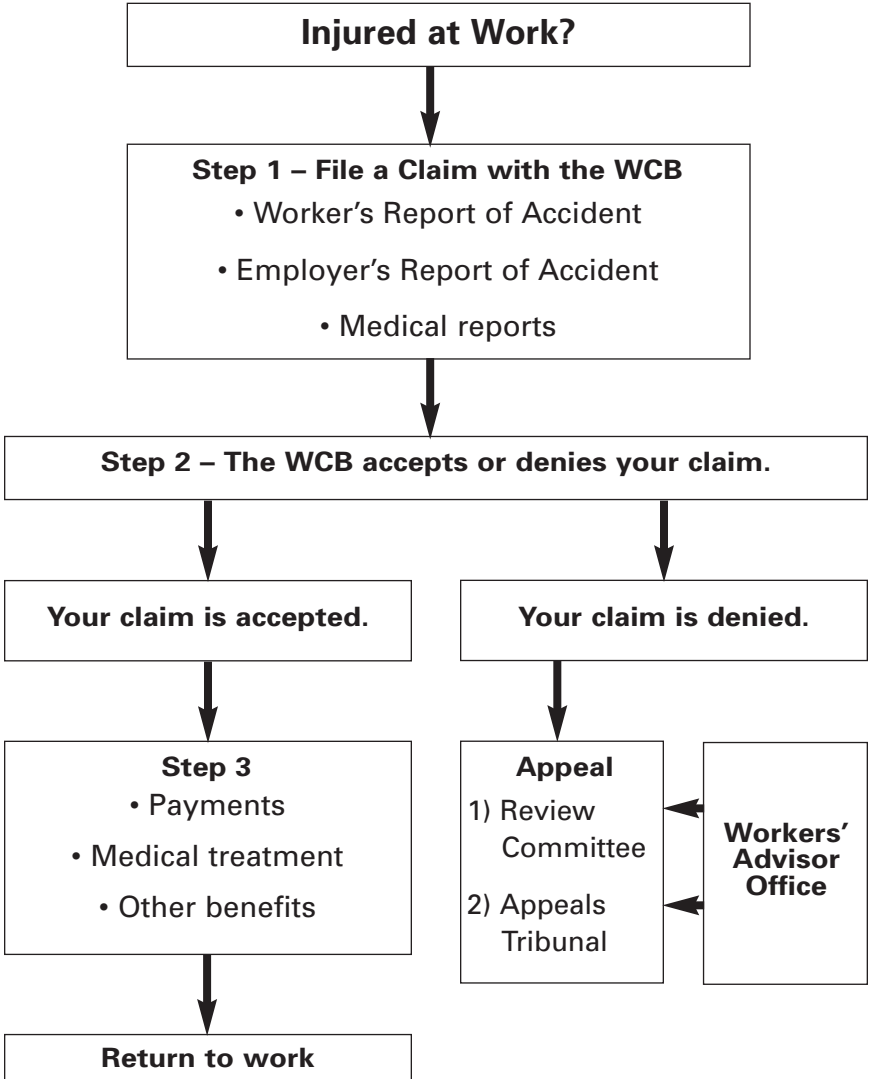
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## **Injured Worker Checklist**

- Tell your employer you are hurt.
- Go to the doctor. Tell the doctor you were hurt at work.
- Fill out your Worker's Report of Accident.
- Send your report to the WCB as soon as possible.
- Make sure your employer sends the Employer's Report of Accident to the WCB.
- Make sure the medical reports get sent to the WCB.
- Write down everything that happened and what you have done. This is a record for you.
- Write down the names of witnesses - people who saw your accident.
- Keep all your receipts.
- If you need help, contact the Workers' Advisor Office. The Advisor can help at any stage of your claim.



# INTRODUCTION

## What is Workers' Compensation?

Workers' compensation is insurance for workers and employers. Employers pay for this insurance.

Workers' compensation is the law.

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

- The WCB oversees the laws that protect workers in the Northwest Territories and Nunavut:  
*Workers' Compensation Acts,*  
*Safety Acts and Regulations,*  
*Mine Health and Safety Acts,* and  
*Explosives Use Acts.*
- The WCB is a corporation with a 7-person Board. The people on the Board represent workers, employers and the public. They are appointed by Ministers of the Territorial Governments.
- Currently, there is a shared WCB for the NWT and Nunavut.
- The WCB has staff in Yellowknife, Iqaluit, Rankin Inlet and Inuvik.
- The WCB gets its money from employers.

## If I can't work because I got hurt doing my job, what does the WCB do?

If you get hurt at work, you file a claim. If your claim is accepted, the WCB does one or more things:

- pays you part of your salary or wage;
- pays for medical treatment you need;
- helps you get ready to return to work;
- pays you a pension if you have a permanent disability; and/or

- pays a pension to your children and/or your spouse if you die from an injury or disease that happened at work.

## **What does the WCB do to prevent accidents and promote safety at work?**

- The WCB offers courses to employers and workers. For information about courses, call the WCB offices. See the phone numbers in the front of this handbook.

## **KNOW YOUR RIGHTS AND RESPONSIBILITIES**

### **What rights do I have on the job?**

- You have the right to know about anything that makes your work dangerous.
- You have the right to get training about how to do your job safely.
- You have the right to refuse to do work you're not trained for.
- You have the right to refuse to do work that is dangerous.

### **What responsibilities do I have on the job?**

- Follow health and safety rules. Do your job safely.
- Ask for training if you need it.
- Use protective equipment if your work is dangerous. Some examples are: a hard hat, steel-toed boots, a respirator, rubber gloves.
- Report all injuries to your employer and to the WCB.
- There should be a first aid kit where you work. If someone is hurt, write down what happened, who was hurt, when he/she was hurt, and the treatment he/she got.

## **What should I do if I think my workplace is dangerous?**

Don't leave your job.

If you think your workplace is dangerous, follow these steps:

1. Talk to your supervisor.
2. If the problem is not solved, talk to your Health and Safety Committee.

Other people can help too:

- If you are a member of a union, call your union representative.
- Call the Northern Territories Federation of Labour.

If you want a copy of any of the *Acts*:

- Ask your employer.
- Look on the WCB website: [www.wcb.nt.ca](http://www.wcb.nt.ca) and [www.wcbnunavut.ca](http://www.wcbnunavut.ca)

## **COVERAGE**

### **What is WCB Coverage?**

WCB coverage means you have WCB insurance. Because of the law, your employer has to cover you.

### **Who has WCB Coverage?**

Most people are automatically covered. It is the law. You are covered if:

- you are a worker or an apprentice;
- you are an inmate on work release, or are serving an alternate sentence; or
- you earn at least 25% of your income from hunting or trapping, and either have a General Hunting License or are a Nunavut Land Claims Beneficiary.

## **Who doesn't have WCB Coverage?**

The *Workers' Compensation Acts* do not automatically cover:

- an employer;
- an independent business person.

## **Can I get WCB coverage if I'm not automatically covered?**

- Yes. Apply for personal optional coverage.
- You purchase coverage for at least 1 month. If your application is approved, WCB staff will let you know when your coverage starts.

## **What if I am not sure if I am covered?**

- Ask your employer or contact the WCB at any of the following numbers: 920-3861  
920-3883  
669-4423  
or toll free at 1-800-661-0792  
Iqaluit 979-8506 or  
1-877-404-4407

## **Who pays for WCB Coverage?**

- Your employer pays. It is the law. Your employer must not deduct WCB payments from your pay.

## **Am I covered travelling to and from work?**

- No. For most people, coverage begins when you arrive at work.
- If you are on call, you are covered from the time you receive the call and during travel by the most direct route to where you are going to work.
- Harvesters who qualify are covered while they travel to hunt, trap or fish.

# **INJURED AT WORK?**

## **What should I do if I get hurt at work?**

- Tell your employer right away.
- Get first aid help if you need it.
- Go to a doctor or nurse. Your employer should provide transportation if you need it. It is very important to tell the doctor or nurse you were hurt at work.
- Complete a “Worker’s Report of Accident” form as soon as possible. Send it to the WCB.
- Contact your employer and the doctor or nurse to make sure they send their reports to the WCB.
- Write down everything that happens.
- Keep receipts for everything related to your injury that you pay for. You might get reimbursed for these things in the future.

## **What should my employer do if I get hurt?**

- Complete the “Employer’s Report of Accident” form.
- Send this report to the WCB and give you a copy.
- If your employer doesn’t send this accident report to the WCB within three working days of your injury, he/she might have to pay a penalty.

## **What should the doctor or nurse do if I get hurt?**

- They do a report about your injury and the treatment they gave you. They send their report to the WCB.
- Other medical reports might be needed during the claim process.

## **WHAT IS THE CLAIM PROCESS?**

The claim process decides if you get benefits from the WCB when you are hurt at work. Benefits are money, medical care, and other services, such as help returning to work.

The claim process has 3 steps:

1. the claim is filed;
2. the WCB accepts your claim;
3. benefits are calculated.

### **Will the Workers' Advisor Office help me with my claim?**

The Workers' Advisor Office is there to help you with your claim. Call them. You don't pay and it is confidential.

Phone: (867) 873-4345 (Yellowknife)

Toll Free: 1-877-816-0166 (anywhere in Canada)

For Service in Inuktitut: call 1-877-404-4407

When you call this number, someone there will arrange for the Workers' Advisor Office to call you back with an interpreter.

## **FILING A CLAIM - STEP 1**

### **When does a claim start?**

- A claim starts when the WCB receives a “Worker’s Report of Accident” form, an “Employer’s Report of Accident” form, or a medical report about your accident.

### **What information does the WCB need for my claim?**

- the “Worker’s Report of Accident” form,
- the “Employer’s Report of Accident” form, and
- medical reports about your injury and treatment.



## **Can I agree with my employer to not file a claim?**

- No. The law says you must file a claim, even if you don't lose time from work.

## **Can I sue my employer?**

- No. The WCB pays benefits. Legal action is not an option.

## **DECIDING ABOUT ENTITLEMENT - STEP 2**

### **What is entitlement?**

Entitlement means you have the right to receive WCB benefits.

### **Who is entitled?**

You are entitled if:

- you are a worker;
- you got hurt or sick because of your work;
- there is evidence of an injury or illness; and
- there are medical reports about your injury.

### **What happens if the WCB decides I am entitled?**

- Your claim is accepted if the WCB decides you are entitled. The WCB then decides what benefits you get.

### **What happens if the WCB decides I am not entitled?**

- Your claim is denied if you are not entitled. You don't get benefits. The WCB sends you a letter to tell you your claim is denied.
- If your claim is denied, you can appeal. See the section about appeals in this handbook.
- There is a summary of the appeal process included with the letter you receive saying your claim is denied.

## **CALCULATING YOUR BENEFITS - STEP 3**

**If your claim is accepted, you'll get one or more of these benefits:**

- compensation benefits or payments,
- medical treatment and other non-monetary benefits,
- help with returning to work.

What you get and how much you get depends on your income and what you need because of your injury. Each claim is different.

If your claim is for a permanent disability, you will receive pension payments. See the special section in this handbook about pensions.

## **COMPENSATION BENEFITS**

Compensation benefits are the money or payments you get from the WCB if you can't work because of your injury.

### **How much money will I get?**

- The WCB pays you 90% of your net earnings up to a maximum amount called the YMIR - Year's Maximum Insurable Remuneration. YMIR is related to average income, so it can change from year to year.

## **What does the WCB need to know about my gross earnings?**

- If you're a permanent worker, the WCB needs to know what your gross earnings were when you were hurt.
- If you're a seasonal or term worker, or you have personal optional coverage, the WCB needs to know what your gross earnings were for the 12 months before you were hurt.

## **Do I pay taxes and other deductions on WCB payments?**

- You don't pay Income Tax, Canada Pension or Employment Insurance.
- The WCB sends you a T5007 at tax time and you report your WCB earnings on your income tax form.

## **When do I start getting WCB payments?**

- Most people receive their first payment within 25 days of their accident. A few people wait longer.
- You will be paid starting from the first day of work that you miss because of your injury. You are not paid for the day of the accident.

## **How often do I get paid?**

- You get paid every 2 weeks.
- If your employer pays you while you can't work, your compensation benefits go to your employer.

## **For how long will I get WCB payments?**

- The WCB uses medical reports from a doctor, nurse or other specialists to decide when you are able to return to work.

## **How do I get my WCB payments?**

- The WCB will mail you a cheque every two weeks.
- You can choose to have your payment deposited directly into your bank account.
- You can arrange to pick up your cheque at the Yellowknife office.

## **If I'm under 18, will I get WCB payments?**

- Yes. If you are under 18, the WCB may send your payments to your parent or guardian.

## **Can I work while I get WCB payments?**

- Possibly. You must talk to the WCB if you are working or planning to work.

## **Can my employer use up my sick leave while I get better?**

- No. You might use sick leave while you're waiting for the WCB to decide about your claim. Your employer must give it back to you.

## **Will I get payments for an industrial disease?**

- Yes. It must be shown that the disease happened because of your work.
- See the special section in this handbook about pensions.

## **Will I get payments if I have an injury or disease from before this injury (a pre-existing condition)?**

- Yes. The WCB will pay you until your health is the same as it was before you had this injury.

## **Will I get payments if my injury was my fault?**

- Usually. The WCB is a no fault system.

## **Can I visit a different province, territory or country if I am getting payments ?**

- Yes. You have to tell the WCB. The WCB then decides whether or not to continue your payments while you are visiting.

## **If WCB asks me to do something, like go to the doctor, will I get paid?**

- Yes. You are paid for time away from work and for expenses, such as travel.

## **If I was paid WCB benefits for a year, can I apply for Employment Insurance after the benefits end?**

- Contact Human Resources Development Canada - the people responsible for Employment Insurance - for more information.

## **MEDICAL TREATMENT AND OTHER BENEFITS**

Your benefits include medical treatment and other services you need because of your injury.

### **Which doctor should I go to?**

- You choose your own doctor. You need to get the WCB to agree if you want to change your doctor.
- The WCB might ask you to see a specialist.

### **Who pays for medical treatment and travel?**

- The WCB pays for all medical treatment you need because of your injury.

- If you travel for medical treatment, the WCB pays for your travel, meals and a place to stay, up to a maximum.
- If you pay for something yourself, the WCB pays you back, usually within two weeks. Save your receipts.
- The WCB prefers to use air travel. If air travel is not possible, the WCB pays you back for mileage.
- The WCB pays for another person to travel with you, if you need help getting around because of your injury.

### **Will the WCB keep paying for medical treatment if my compensation benefits stop?**

- Yes, if you need medical treatment because of your injury at work. Medical evidence should show you need ongoing treatment.

### **Who pays for prescription drugs and medical supplies?**

- You pay first. The WCB pays you back. Send your receipts to the WCB within 60 days of buying your drugs. If you wait longer than 60 days, you might not get your money back.
- You only get paid back for prescriptions and medical supplies that relate to your injury.
- The WCB carefully watches the use of addictive medication. They will not pay you back for long-term prescriptions of narcotic medication. Prescription drug use is monitored on a case by case basis.

### **Will the WCB pay for glasses and independence aids, like a hearing aid or leg brace?**

- Yes. The WCB pays for glasses or any independence aid you need because of your injury.

- If your glasses or an independence aid were damaged when you were hurt, the WCB pays to have them replaced or fixed.
- The WCB won't pay for non-prescription sunglasses.

### **What if my teeth are damaged?**

- The WCB pays for any dental work you need because of your injury.
- The WCB pays to repair or replace your dentures if they were damaged when you were hurt.

### **Does the WCB pay for clothing?**

- The WCB might pay to replace clothing that was damaged when you were hurt.
- The WCB might pay a clothing allowance if you need different clothing because of your injury.

## **YOUR CLAIM IS CLOSED**

Your claim is closed when you don't receive any more benefits.

### **Can my claim be opened again if it has been closed?**

- Yes. For this to happen, you need to send the WCB medical reports that say you still have a disability because of your injury.

### **Can I get medical treatment later in life?**

- Yes. The treatment must be related to your original injury. You need medical reports to show this.

## **RETURNING TO WORK**

### **Does my employer have to give me work when I get better?**

- If your worksite is unionized, ask your union representative.
- You and your employer should make a plan to help you return to work. The WCB can help.
- Do not quit your job. If you end up with a different job and/or a different employer, it should be your choice.
- You might do a different job.
- You might work fewer hours.
- You might be retrained.
- You might do "work hardening".

### **What can the WCB do to help if I can't physically do my old job?**

- You can do a work assessment or a functional ability assessment test. These tests help you identify what work you can physically do.
- The WCB might ask you to go to physical therapy or other treatment to help you return to work.

### **What can the WCB do to help if I need to look for a different job?**

- You can do a vocational assessment test. This test helps you know what work skills you have from your old job. Then you can find out what other jobs need the same skills.

### **What can the WCB do to help if I need training?**

- The WCB can help to set up a training-on-the-job contract with an employer.



- The WCB might be able to help you with other types of training. Ask your case manager.

### **If I'm ready to go back to work and my job isn't there, can I still get payments?**

- If you lost your job because of your injury, your payments might go for another 13 weeks. This is called the Job Search Assistance Program.
- While you are with the Job Search Assistance Program, your "job" is to look for work.

### **What happens if I don't get work before I'm 65?**

- For some people, the WCB will pay until you're 65.
- You should learn about the pension benefits you can get from Human Resources Development Canada - the Federal Government.

## **PENSIONS**

### **What is a WCB Pension?**

- A WCB pension is a payment you get because you have a permanent disability from an injury at work.
- You get the payment whether you work or not.

### **How much money will I get?**

- The amount of money you get depends on two things. The first is how much money you made when you got hurt. The second is the percentage of disability you are left with after you recover from your injury.
- Each claim is different.
- You will not be paid more than the maximum amount, 90% of the YMIR.

## **How often will I be paid?**

- You receive monthly payments.
- You may choose to get a lump sum, one time payment. You can do this if your percentage of disability is 10% or lower.

## **For how long will I get a pension?**

- For as long as you live.

## **If two people have the same injury, will their pension be the same?**

- Not necessarily. Each claim is different.

## **Will I get my pension if I live outside the NWT or Nunavut?**

- Yes. You have to tell the WCB when you move and where you move to.

## **Will my pension payments ever increase?**

- Yes, they can. You need medical reports to show that your disability got worse.
- Pension payments are adjusted for inflation. Every year on January 1, payments are changed based on the Consumer Price Index.

## **Will I get medical treatment with my pension?**

- Yes. The medical treatment needs to be related to the original injury or illness - the reason that you get the pension.
- The WCB might send you to a doctor. The WCB pays for travel and other expenses. If you miss work to do this, the WCB pays for your time.

## **ARE THERE PENSION BENEFITS FOR YOUR FAMILY IF YOU DIE IN A WORK ACCIDENT?**

### **How much money does my spouse get if I die in a work accident?**

- Your spouse gets a monthly pension payment of 2.75% of the maximum amount, the YMIR.
- If you don't have a spouse, another person can get the pension. This person needs to show the WCB that he/she depended on you for food, clothing, a home, and other things necessary for life.

### **How much money do my children get if I die in a work accident?**

- Until they're 16, each child gets a monthly payment of .625% of the maximum amount, the YMIR.
- When your children are older than 16, they still get monthly payments if they go to school.
- Payments to your children end when they get a university degree or a certificate from a college or technical school, or if they don't maintain adequate progress in school.

### **Are there other benefits for my family if I die in a work accident?**

- The WCB might help your family pay for your burial or cremation.

## **WHAT IF MY CLAIM IS DENIED?**

When your claim is denied, you get a letter from the WCB. You can appeal the decision if you want. If you have not contacted the Workers' Advisor before this, you should do that now. The advisor can help you appeal the WCB's decision. Some people use a lawyer, but that can cost a lot. Legal aid lawyers may not do this work.

## **THE WORKERS' ADVISOR OFFICE**

Call the Workers' Advisor Office to get help with your appeal. You don't have to pay and the service is confidential.

Phone: (867) 873-4345 (Yellowknife)

Toll Free: 1-877-816-0166 (anywhere in Canada)

For service in Inuktitut: call 1-877-404-4407

When you call this number, someone there will arrange for the Workers' Advisor to call you back with an interpreter.

## **APPEALS**

### **What is an appeal?**

- An appeal means you go to the WCB and ask it to change its decision about your claim.
- The Workers' Advisor can give you advice about your appeal. He can represent you.

### **Who hears my appeal?**

There are two levels of appeal:

1. The first level is the Review Committee. It is made up of senior WCB staff.
2. The second and final level is the Appeals Tribunal. It is made up of people from outside the WCB.

### **How do I ask for a hearing by the Review Committee - the first level of an appeal?**

- You write to the Review Committee registrar.
- You tell the registrar four things:
  1. your claim number,

2. the date of the letter you got from WCB saying your claim was denied,
  3. the reasons you disagree with the WCB's decision, and
  4. what you want from a review of the decision.
- If possible, get medical reports to support why you disagree with the decision and what you want from the review.
  - Get help from the Workers' Advisor Office if you need it.
  - The Review Committee only looks at paperwork about your claim. You do not go there in person.

### **How do I ask for a hearing by the Appeals Tribunal - the second level of an appeal?**

- Get a "Request for Appeal" form and complete it.
- To register your appeal, send your form or a written request to the registrar.
- Get the Workers' Advisor to help you prepare your case if you need help.
- You can represent yourself. The Workers' Advisor or someone else can represent you. You and/or your representative can choose to appear in person.

### **How long does an appeal take?**

- The Review Committee can take about 2 months between the time it receives your appeal and the time it sends you its decision.
- The Appeals Tribunal can take about 8 months between the time it receives your appeal and the time it sends you its decision.
- A few people are involved in an appeal for years.

# WCB OFFICES

## ***Head Office - Yellowknife:***

Workers' Compensation Board of the Northwest Territories  
and Nunavut  
Box 8888, Yellowknife, NT X1A 2R3

### **Street Address:**

5022 - 49 Street  
Centre Square Mall, 3rd Floor  
Yellowknife, NT  
Telephone: (867) 920-3888  
Toll Free: 1-800-661-0792  
Fax: (867) 873-4596  
Toll Free Fax: 1-866-277-3677

*or, for further claims information, contact:*

Client Services Division: (867) 920-3809

## ***Regional Office - Iqaluit:***

Workers' Compensation Board  
P.O. Box 669 Trigram Building  
Iqaluit, NU X0A 0H0  
Telephone: (867) 979-8500  
Toll Free: 1-877-404-4407  
Fax: (867) 979-8501

## ***Regional Office - Rankin Inlet:***

Workers' Compensation Board  
P.O. Box 368 Qijuutit Centre  
Rankin Inlet, NU X0C 0G0  
Telephone: (867) 645-5600  
Fax: (867) 645-5601

## ***Regional Office - Inuvik:***

Workers' Compensation Board  
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Inuvik, NT X0E 0T0  
Telephone: (867) 678-2301  
Fax: (867) 678-2302

[www.wcb.nt.ca](http://www.wcb.nt.ca)

or

[www.wcbnunavut.ca](http://www.wcbnunavut.ca)

Ce formulaire est disponible en français.  
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