

This information explains how to tell us your reasons for why your appeal was filed late. Find more information on our website: wcat.bc.ca. Or feel free to call our team to ask for help: 604-664-7800 or 1-800-663-2782.

What to do if your appeal is late

WCAT must receive your notice of appeal within 30 days of the Review Division decision date. If special circumstances caused you to miss the deadline to start an appeal, you can ask for more time. Your appeal will only go ahead if a WCAT vice chair decides to grant you an extension of time to appeal.



Apply for an extension of time by completing a form on our website:
[WCAT.BC.CA](http://wcat.bc.ca) > [APPEAL A DECISION](#) > [START AN APPEAL](#) > [ASK FOR MORE TIME](#)

Submit your application form when you submit your notice of appeal (when you ask to start your appeal). The form will ask you to explain the following:

1. **Were there special circumstances that prevented you from filing your notice of appeal?**

Special circumstances are unusual or extraordinary situations that prevent you from filing in time. Use these questions to determine whether your situation was a special circumstance:

- When did you receive the Review Division decision? Did you receive it at all? If there was a delay in receiving the decision, do you know why? Did you know you had the right to appeal the decision?
- Did you know that there was a time limit to appeal?
- Was there something about the decision that you did not understand?
- Is there new evidence that supports your appeal? For example, did you just receive a new medical report that supports the appeal?
- Did you tell someone that you planned to appeal the decision? If you did, who did you tell and when?
- Did someone else agree to appeal the decision for you? For example, did you ask a representative to file the appeal, but they did not do so?
- Did something else happen that prevented you from filing your notice of appeal? If yes, what happened?

2. **What injustice would result if the appeal does not proceed?**

You may want to explain what will happen if the appeal is not allowed to proceed. You can also tell us:

- Is evidence about the decision you want to appeal still available and relevant?
- What delayed you in filing your appeal after the time to appeal ended?



? Will it be unfair to others if your appeal goes ahead?

? If you cannot appeal, how will that affect you?

? Did you act quickly to file the appeal(s) once the deadline had passed? Is evidence about the decision you want to appeal still available and relevant?

3. Were you delayed in filing the appeal after the 30-day time limit? A delay is when a long time has passed since the 30-day deadline. If this is your situation, you need to explain why it took so long to file the appeal.

When you submit your application form

Include documents or other information that help prove there were special circumstances that prevented you from filing your appeal on time. For example, you could include:

- ✓ The new evidence you received
- ✓ Emails or messages to your representative telling them to start the appeal
- ✓ Proof that you did not get the decision, such as documents to show you were traveling and unable to receive your mail

We may ask you for more information about your application. We will also give others who may be affected by the decision about your application a chance to respond, if they choose. A vice chair will decide if your appeal will continue.

Talk to an adviser. You can get free help from a workers' or employers' adviser at:

Workers' Advisers Office
www.labour.gov.bc.ca/wao
1 800 663-4261 (toll-free in B.C.)

Employers' Advisers Office
www.labour.gov.bc.ca/eao
1 800 925-2233 (toll-free in B.C.)



Find out more on our website: WCAT.BC.CA > [RESOURCES](#) > [MANUAL OF RULES OF PRACTICE AND PROCEDURE](#) > [CHAPTER 17.1: TIME FRAME FOR DECISION MAKING](#)

WCAT.BC.CA > [APPEAL A DECISION](#) > [PREPARE YOUR CASE](#) > [COLLECT EVIDENCE](#)



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Call 604 664-7800 or
1 800 663-2782 (toll-free in B.C.)



Online
wcat.bc.ca