

July 19, 2019

Ms. Janet Patterson  
By email: [Info@wcbreview.ca](mailto:Info@wcbreview.ca)

Dear Ms. Patterson,

**RE: Workers' Compensation System Review**

I am aware of the independent review of the Workers' Compensation System that you are conducting and have reviewed the Terms of Reference associated with it.

My office receives a significant volume of complaints about WorkSafeBC and WCAT. In the past three fiscal years we have received 701 complaints about the two public authorities. Injured workers bring a variety of problems to us such as complaints about delays in implementing Review Division and WCAT decisions and concerns about case management and claims handling.

One issue of importance is that our Office has identified systemic concerns about WorkSafeBC's inability to correct its own errors after the 75-day reconsideration period is over. While WorkSafeBC had expressed a willingness to advocate for changes to the Workers' Compensation Act to allow it to correct its own errors past the 75-day limitation period, since we commented on this issue publically in our 2010 annual report, there have been no such revisions to the *Workers' Compensation Act*. When a mistake is made and acknowledged by all parties, WorkSafeBC should be able to resolve the resulting unfairness for the worker on its own initiative.

I am encouraged that government has undertaken an independent review with a focus on improving fairness for workers. I would be pleased to meet with you to discuss your review and to provide our unique insight.

Yours sincerely,



Jay Chalke  
Ombudsperson  
Province of British Columbia