

FOR FURTHER ASSISTANCE

For workers, employers and representatives seeking assistance, there are organizations that may assist you to prepare for the review process.

Contact the Workers' Advisor at:

Office of the Workers' Advisor
Newfoundland & Labrador Federation of Labour
330 Portugal Cove Place
P.O. Box 8597, Stn. "A"
St. John's, NL
A1B 3P2
Tel: (709) 754-3927
Toll Free: 1-800-563-1998

or

Office of the Workers' Advisor
113 Lincoln Road
P.O. Box 248
Grand Falls-Windsor, NL
A2A 2J7
Tel: (709) 489-9193
Toll Free: 1-877-489-9193

Contact the Employers' Advisor at:

Office of the Employers' Advisor
Newfoundland & Labrador Employers' Council
129 Glencoe Drive
Donovan's Industrial Park
Mt. Pearl, NL A1N 4S7
Tel: (709) 368-6532
Toll Free: 1-888-738-5900

FOR MORE INFORMATION

For more information please consult the following WHSCRD brochures:

- ▶ General Information
- ▶ Review Process
- ▶ Hearing Process
- ▶ Employer Participation
- ▶ Reconsideration
- ▶ Access to Information
- ▶ Witnesses and Subpoenas

If you require additional information or assistance, please contact our office at:

**Workplace Health, Safety and
Compensation Review Division**
2nd Floor, Dorset Building
6 Mount Carson Avenue
Mount Pearl, NL
A1N 3K4
Tel: (709) 729-5542
Fax: (709) 729-6956
Toll Free: 1-888-336-1111
E-mail: whscrd@gov.nl.ca

or

Visit our website at:
www.gov.nl.ca/whscrd



Workplace Health, Safety and Compensation Review Division

REPRESENTATION



YOUR RIGHT TO REPRESENTATION

The Workplace Health, Safety and Compensation Review Division (WHSCRD) is committed to providing a fair and impartial review process for all parties.

An Internal Review decision of the Workplace Health, Safety and Compensation Commission (WHSCC) may be appealed to the WHSCRD on your own or with the help of a representative such as a union member, legal counsel, MHA, friend, etc.

You are not required to have representation when participating in a WHSCRD review; however, you do have the right to be represented by another party if you choose to do so. The WHSCRD does not arrange or pay for your representation.

When you retain a representative, an *Authorized Representative Consent* form must be submitted to the WHSCRD before any information will be released concerning your *Request for Review* application. The WHSCRD will not discuss your appeal with anyone other than yourself unless you have submitted an *Authorized Representative Consent* form.

If you make a change in your representation you should notify the WHSCRD as soon as possible.

Authorized Representative Consent forms and other WHSCRD forms are available from WHSCRD's website at:

www.gov.nl.ca/whscrd

The forms may also be obtained by contacting the WHSCRD office.

Both you and your representative will be notified of the hearing date and will receive a copy of the file of information (Case Description). Your representative will also receive a copy of the WHSCRD decision when finalized.

If you choose not to attend the hearing, your representative may appear on your behalf. If you and/or your representative do not appear at the scheduled hearing, without sufficient reason, the WHSCRD may continue the hearing in your absence.



THE REPRESENTATIVE'S ROLE

The WHSCRD encourages representatives to be prepared to proceed with the hearing when contacted for a hearing date.

The WHSCRD will consider rescheduling or postponement requests only in exceptional circumstances. Factors such as the need for more time to gather evidence, a representative's schedule and convenience to the parties are normally only considered in the initial contact by the WHSCRD for a hearing date.

The representative should be familiar with your position with respect to the issues under review, the file of information, as well as any relevant workers' compensation legislation and policies. Your representative also has the right to ask questions of witnesses during the hearing.

During the hearing, representatives should be respectful towards all participants. The Review Commissioner has the authority to order any individual from the hearings room if they become disruptive to the proceedings.

Where there is more than one person attending the hearing on behalf of a party, it should be determined who is acting as the representative. For example, when an employer is appearing, one person may be designated as the representative and one as the employer. Other persons may be designated as witnesses or observers.