

All participants in a hearing before the tribunal have the right to a representative of their choice. A representative does not need to be a lawyer.

What does a representative do?

A representative is anyone who assists a participant with an appeal. This assistance can include giving advice about the participant's rights or responsibilities; selecting, drafting, or completing documents; representing the participant at a hearing; negotiating on behalf of the participant; and explaining procedures and decisions.

The tribunal may require that an authorization form be completed confirming the participant's consent to being represented.

Expectation

All persons interacting with the tribunal are expected to show courtesy and respect. As a representative, however, you are held to an even higher standard, regardless of your training. As a representative, you must:

- be familiar with the board's claim or assessment files and clearly identify the issues under appeal
- be familiar with the tribunal's practices and procedures
- be courteous and respectful of all participants and the tribunal
- instruct your clients and witnesses to be courteous and respectful
- not knowingly put forward information that is untrue or misleading
- not assist a participant to mislead or misrepresent the facts

- question witnesses only on matters relevant to the issues on appeal
- respect the confidentiality of information disclosed during a hearing and not use the information without the consent of the participants
- not communicate directly with the presiding appeal commissioner other than during a hearing or a conference call
- copy all written communications to all participants
- file documents with the tribunal and the other participants as soon as possible after the documents are received
- bring copies of documents you will be referring to during the hearing
- try to raise preliminary matters, such as security concerns or objections to evidence, before the hearing
- be prepared to make a closing summary statement
- not contact the presiding appeal commissioner following a decision; all questions should be directed to the chief appeal commissioner

Failure to comply

If you fail or refuse to comply with the tribunal's expectations, the tribunal may exclude you from the hearing room; restrict your access to tribunal staff; and, in cases of serious or repeated abuse, prohibit you from appearing before the tribunal.

Fees

You cannot charge a fee for representing a participant before the tribunal, unless permitted to do so under provincial law.



Assistance

Workers may be entitled to free legal representation through the Workers' Advisers' Program. Call one of these numbers to find out more:

Halifax 902-424-5050
Mainland toll free 1-800-774-4712

Sydney 902-563-2302
Cape Breton toll free 1-800-890-6786

Employers may seek assistance through the Office of the Employer Advisor Nova Scotia Society:

Bedford 902-442-9366
Fax 902-252-3466
Web www.oceans.ca

CONTACT US

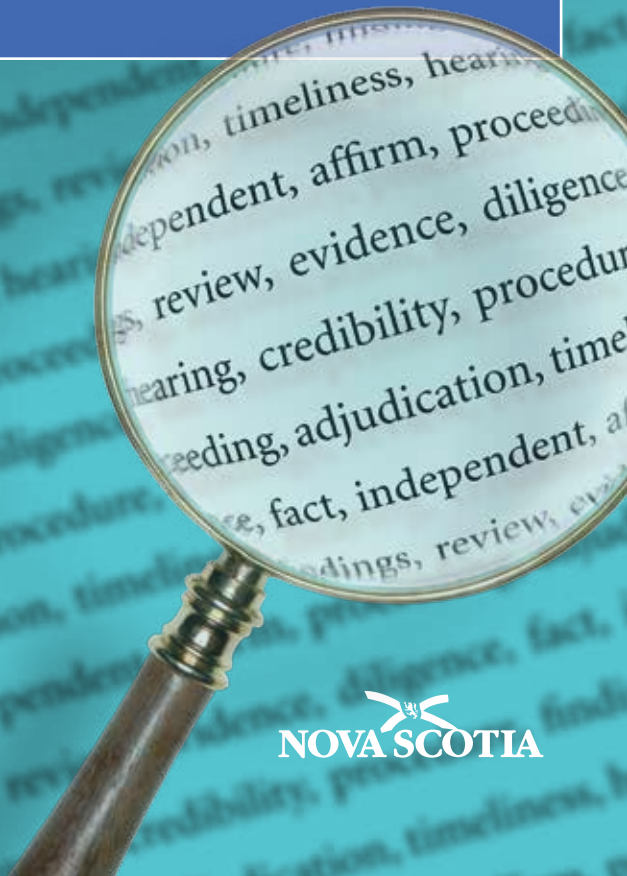
For more information about the Workers' Compensation Appeals Tribunal, visit our website or contact our office.

Web: www.novascotia.ca/wcat
Phone: 902-424-2250
Toll free: 1-800-274-8281
Fax: 902-424-2321

Workers' Compensation Appeals Tribunal
5670 Spring Garden Road
10th floor, Suite 1002
Halifax, Nova Scotia B3J 1H6

WORKERS' COMPENSATION APPEALS TRIBUNAL

REPRESENTING PARTICIPANTS BEFORE THE WORKERS' COMPENSATION APPEALS TRIBUNAL




NOVA SCOTIA