

Annual Performance Report 2025-26



**Workers' Compensation
Independent Review Board**



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This document is available in alternate formats upon request.

Message from the Chief Review Commissioner

In accordance with the reporting requirements of the **Transparency and Accountability Act** for a Category 3 entity and the **Workplace Health, Safety and Compensation Act, 2022**, I am pleased to present the Workers' Compensation Independent Review Board's (WCIRB) Annual Performance Report for 2025-26. As Chief Review Commissioner of WCIRB, I am responsible for the preparation of this report and accountable for the results contained within.

This report represents WCIRB's third and final year of reporting in reference to its three-year activity plan (2023-26) as published under its former business name, the Workplace Health, Safety and Compensation Review Division (WHSCRD).

Each day, the administrative and adjudicative staff of the Workers' Compensation Independent Review Board work diligently to deliver client-focused services to injured workers and employers, and I would like to recognize and thank them for their ongoing commitment and professionalism.

WCIRB's dedication to maintaining the principles of natural justice, delivering high-quality client service, and pursuing ongoing enhancements to the effectiveness and efficiency of our service continues.

A handwritten signature in blue ink, reading "Suzanne Hollett". The signature is fluid and cursive, with the first name "Suzanne" and last name "Hollett" clearly distinguishable.

Suzanne Hollett

Chief Review Commissioner

Table of Contents

Overview	1
Highlights and Partnerships	4
Report on Performance	5
Opportunities and Challenges	10
2025-26 Additional Caseload Activity	11
2025-26 Statistical Overview	12
Financial Statement	14
Active Review Commissioners 2025-26	15

Overview

Introduction

The Workers' Compensation Independent Review Board (WCIRB) is the final level of review within the workers' compensation system in Newfoundland and Labrador. WCIRB is responsible for the review of decisions of WorkplaceNL (WPNL). WCIRB may review such issues as:

- Compensation and medical aid benefits;
- Rehabilitation and return to work services and benefits; and,
- Employers' assessments and industry classifications.

Mandate

The mandate of the WCIRB is to review decisions of WorkplaceNL to ensure compliance with the **Workplace Health, Safety and Compensation Act, 2022** (the **Act**) and the **Workplace Health, Safety and Compensation Regulations**, (the **Regulations**) as well as with the policies of WorkplaceNL. WCIRB is also mandated to direct appropriate remedies where necessary.

Vision

The vision of the WCIRB is an environment where workers and employers participate in an independent, timely, and fair review process anchored in a culture of exceptional client service.

Lines of Business

The WCIRB offers the following services to its clients:

- Review of decisions of WorkplaceNL: WCIRB processes review applications submitted by injured workers, their dependents and employers in the province, as well as coordinates a review process that includes a hearing before a review commissioner.
- Information Services: WCIRB provides information services to its clients by providing web-based distribution of its decisions, researching workers' compensation issues and collecting and maintaining statistical information relative to the review process.

Additional information on WCIRB can be found on its website at <http://www.gov.nl.ca/wcirb>.

Financial Information

Funding for the operations of WCIRB is reimbursed from the Injury Fund of WorkplaceNL pursuant to Section 36 of the **Act**. In the 2025-26 fiscal year, WCIRB's budgetary allocations were administered by the financial administration division under the Minister Responsible for WorkplaceNL. Unaudited expenditures for WCIRB in 2025-26 were \$1,442,366 as provided by the Department of Finance. Please refer to page 14 for more detailed financial information.

Review Commissioners

WCIRB has a Chief Review Commissioner and a panel of review commissioners. Up to seven review commissioners, including the Chief Review Commissioner, may be appointed. Review commissioners historically conduct hearings in Mount Pearl, Gander, Grand Falls-Windsor, Corner Brook, Happy Valley-Goose Bay, and Labrador City, with teleconference and videoconference options also available.

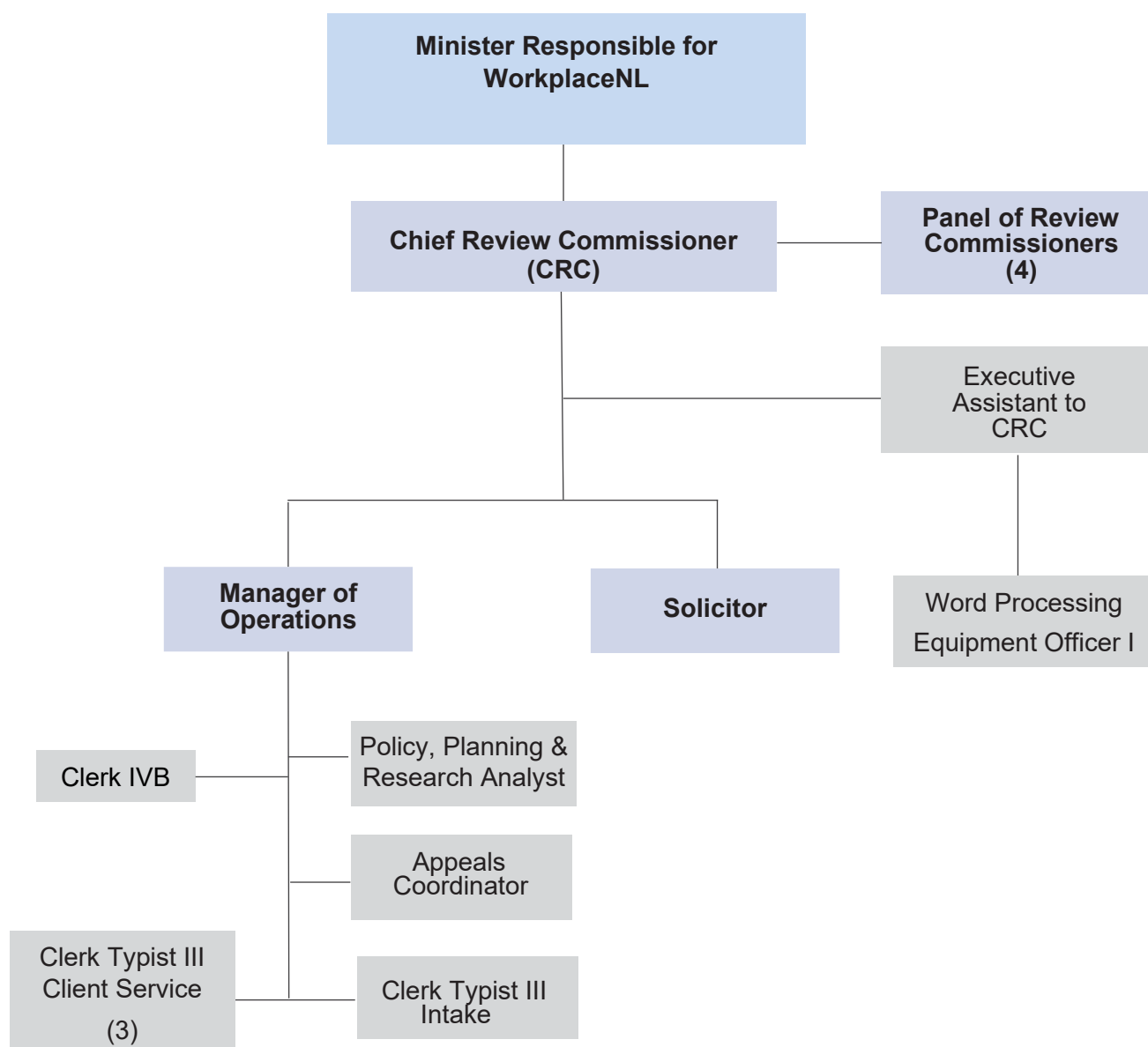
As of March 31, 2026, WCIRB's panel of review commissioners consisted of a Chief Review Commissioner and three full-time review commissioners. Please refer to page 15 for biographies of Review Commissioners that were active in 2025-26.

Overview continued

WCIRB Staff

During the 2025-26 fiscal year, WCIRB employed 16 staff in its office located in the Dorset Building, at 6 Mount Carson Avenue in Mount Pearl, Newfoundland and Labrador.

Organizational Chart



Highlights and Partnerships

Joint Committee

As per recommendation 3.1 of the 2019 statutory review of the provincial workers' compensation system, WCIRB's participation in a joint committee with WorkplaceNL over the 2023-26 planning period proved beneficial in addressing delays related to scheduling and the hearing process. Through ongoing collaboration, information sharing, and operational improvements, the committee has contributed to more efficient case progression and enhanced communication between the organizations.

During this last planning cycle, priorities for the joint committee included a triage process at WorkplaceNL for new information, a "red-flag" system as directed by the Minister, and regular meetings between the two organizations that address systemic delays in the overall workers' compensation system. This approach has proven successful with fewer cases placed on hold at any given point in time and improved communication between WCIRB and WorkplaceNL in relation to identified processing issues. As a result of these successes, the committee has moved its meeting requirements from quarterly to biannually. This will continue to be assessed during the next planning cycle and frequency of meetings will change accordingly.

The continued success of this initiative has supported timelier processing of review applications and improved overall service delivery within Newfoundland and Labrador's workers' compensation review system.

Report on Performance

Fiscal 2025-26 is the third and final year of the 2023-26 planning cycle. WCIRB's 2023-26 Activity Plan outlined the issues and objectives for each year of the planning cycle and can be found, along with the subsequent annual reports, at www.gov.nl.ca/WCIRB/Publications.

During the 2025-26 fiscal year, and throughout the 2023-26 planning cycle, WCIRB continued to strengthen the efficiency and effectiveness of Newfoundland and Labrador's workers' compensation external review system. This was achieved through ongoing administrative improvements, process modernization, and enhanced collaboration with stakeholders in an effort to make improvements for all.

Significant efforts were directed toward improving the processing and progression of review applications, including enhancements to WCIRB's Client Tracking System, improved caseload communication practices, and continued participation in the joint committee established in response to recommendation 3.1 of the 2019 statutory review of the workers' compensation system. Through these initiatives, WCIRB worked collaboratively with WorkplaceNL to address delays related to scheduling hearings, and the consideration of new evidence during the external review process, contributing to more timely case movement and reduced numbers of "on-hold" files.

In addition to improvements in review application processing, WCIRB continued to make progress in the hearing and decision-making stages of the review process. WCIRB has reported increased hearing activity, improved scheduling efficiencies, and continued efforts to ensure hearings were conducted in a fair, timely, and accessible manner for workers and employers throughout the province.

WCIRB also maintained a strong focus on timely decision rendering, with Review Commissioners issuing decisions efficiently while ensuring compliance with legislation, policy, procedural fairness, and principles of natural justice. Collectively, these efforts resulted in increased case closures, improved service delivery, and continued advancement toward a more responsive and effective external review system.

The results of WCIRB's work to meet its stated objectives for the 2025-26 fiscal year and the 2023-26 planning years are reported in the sections below.

Report on Performance

Issue 1: Review Application Processing

Review applications are processed through both administrative and adjudicative functions. WCIRB's administrative team receives and processes review applications to ensure all administrative requirements are met prior to scheduling a hearing for adjudication.

Cases are considered closed when a final decision has been issued, if the applicant withdraws their case, or if WCIRB determines it must dismiss or reject an application due to an error.

Improved procedural practices and communications, facilitated in part through the joint committee's work, has increased the timeliness of the movement of applications across the case management process during the 2023-26 planning cycle. WCIRB has reduced its overall turnaround time (application to decision) during this period by 25 per cent, or 96 days, and looks forward to continuing this trend.

Objective Results for 2025-26

Objective: By March 31 of 2026, WCIRB will have collected all information on the standing of its review applications for reporting to the public and all other relevant parties.

Indicators	Progress and Accomplishments
Number of review applications carried over from previous year.	227
Number of new review applications received.	274
Number of review applications closed.	266
Number of reconsideration applications received.	7

Report on Performance continued

Issue 2: Hearing Review Applications

With the case compiled by the administrative team, review commissioners can conduct hearings of review applications in-person, by video and teleconference, or a documents only (paper) review. At times applicants may request rescheduling for extenuating circumstances. In such cases, WCIRB attempts to reschedule hearings in a timely manner.

Over the 2023-26 planning cycle, WCIRB has reduced the time between receiving an application to holding a hearing by 83 days, or a reduction of 26 per cent.

WCIRB met its 2025-26 objective as outlined in the following section.

Objective Results for 2025-26

Objective: By March 31 of 2026, WCIRB will have collected all information on the standing of its hearings for reporting to the public and all other relevant parties.

Indicators	Progress and Accomplishments
Number of review applications scheduled to be heard.	37
Number of review applications waiting to be heard.	79
Number of review applications hearings rescheduled.	10
Number of review application hearings held by region.	• Avalon 159 • Central 27 • West 25 • Labrador 2

Report on Performance continued

Issue 3: Decisions Rendered

WCIRB has the jurisdiction to review decisions of WorkplaceNL for correctness and error. This usually occurs through the hearing process. Upon completion of the hearing, review commissioners are responsible for conducting a thorough review and analysis of the issue(s) before them to render a timely decision according to the **Act**, based on the record of information, which includes the hearing.

WCIRB decisions are legislatively required to be issued within 60 days of the hearing date. Over the 2023-26 planning period, the time between hearing and decision has steadily decreased to an average of 53 days in 2025-26, with an overall average of 58 days across the three-year planning cycle.

In this section, WCIRB also selects several noteworthy decisions each fiscal year to highlight outcomes around complex and/or emerging issues.

Objective Results for 2025-26

Objective: By March 31 of 2026, WCIRB will have collected all information on the standing of its decisions for reporting to the public and all other relevant parties.

Indicators	Progress and Accomplishments
Number of decisions rendered.	217
Decision outcomes.	• Allowed 46 • Denied 120 • Referred back to WorkplaceNL 30 • Allowed in part or Summarily dismissed 21
Noteworthy decisions.	WCIRB considers the decisions below to be noteworthy. Please visit our Decision Search System at the following link to read and/or download the noted decisions: https://www.gov.nl.ca/wcirb/search-decision-system/search-decisions/

Report on Performance continued

Noteworthy Decisions

DECISION 2025074

(Worker Application) – Compensable Injury - In the Course of - Routine Commuting. **Allowed**

Applicable legislation, regulation, policy or procedure:

ss. 19(4), 60(1), Policies EN-20, EN-22

DECISION 2025136

(Worker Application) – Compensable Injury – Arising Out of – Material Contribution – Definition of Injury. **Allowed**

Applicable legislation, regulation, policy or procedure:

ss. 19(4), 60(1), Policies AP-01, EN-20, EN-22

DECISION 2025152

(Employer Application) – Arising Out of and In the Course of Employment – Earnings Loss Benefits – Termination – Weighing Evidence. **Denied**

Applicable legislation, regulation, policy or procedure:

ss. 19(4), 60(1), Policies AP-01, EN-20, EN-22

DECISION 2025161

(Worker Application) – Permanent Functional Impairment – Adjustment Disorder. **Remitted**

Applicable legislation, regulation, policy or procedure:

ss. 19(4), 60(1), Policies AP-01, EN-20, EN-22

DECISION 2026031 & 2026032

(Worker Application) – Compensable Injury – Exclusions - Mental Stress – Traumatic Event. **Allowed**

Applicable legislation, regulation, policy or procedure:

ss.2(1)(o)(v), 39, 40(1), 40(12), 50, Policy EN-18

Opportunities and Challenges

Cases Pending

WCIRB's ability to schedule hearings is directly impacted by the availability of all parties to attend hearings. During the last planning cycle, availability of representatives has been particularly challenging. The Office of the Workers' Advisor has continually noted high caseload volumes as a predominant factor in their inability to schedule a caseload that meets the demand of WCIRB.

In addition, like many organizations across the public service sector, ongoing staff turnover continues to present operational challenges, including increased workloads and recruitment pressures, while striving to maintain high-quality public service provision.

At the same time, these challenges create opportunities to modernize processes, strengthen workforce planning, enhance employee development, and explore more efficient and innovative approaches to service delivery. With this in mind, WCIRB looks forward to the upcoming statutory review of the workers' compensation system in the province and contributing to its success.

WCIRB is currently engaged in the recruitment process to staff a vacant Review Commissioner position, which will return it to its slate to five full-time commissioners, including the Chief Review Commissioner.

2025-26 Additional Caseload Activity

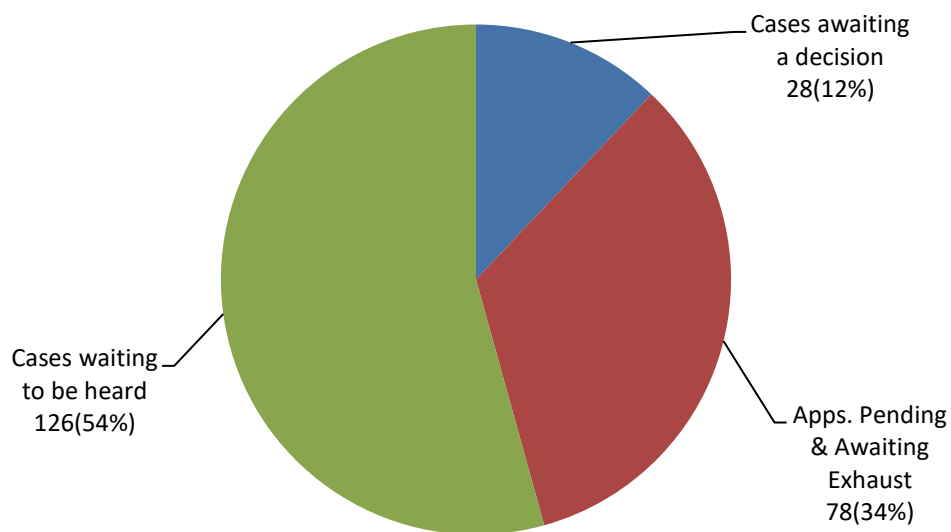
- WCIRB's overall annual caseload consisted of 493 cases (Table 1-page 12).
- Workers and their dependents filed 209 requests for review representing 87 per cent of the applications filed in 2025-26. Employers filed 32 request for review applications, or 13 per cent.
- The bulk of hearings are held in-person at the Mount Pearl office as 75 per cent of clients are located in the Avalon region. However, the trend for applicants and their representatives to schedule teleconference or videoconference hearings continues, regardless of their physical location.
- The top three issues under review were: Claim Denied, Health Care Services, and Wage Loss Benefits (Table 2-page 13).
- Two hundred and seventeen (217) decisions were finalized in fiscal 2025-26.
- WCIRB decisions are legislatively required to be issued 60 days after a hearing. In fiscal 2025-26, WCIRB decisions were rendered an average of 53 days after the hearing date.
- The total number of closed cases in fiscal 2025-26 is 266. Closed cases are the sum of decisions rendered, cases withdrawn, rejected, and/or dismissed.
- Cases are typically scheduled in order of application date. However, WCIRB attempts to assess and triage issues having the most impact on an applicant's financial situation (i.e. wage loss situation) to expedite those cases where possible.

2025-26 Statistical Overview

Table 1 - Annual Caseload

Caseload Breakdown	2025-26
Appeals Carried Forward April 1 st	252
New Applications	241
Annual Caseload	493
Less Closed Cases:	
Decisions Rendered	217
Cases Withdrawn	32
Applications Rejected/Dismissed	12
Total Finalized/Closed Cases:	261
Active Caseload as of March 31st, 2026	232

Figure 1 – Active Year End Caseload by Disposition



Statistical Overview continued

Table 2 – Issues Reviewed by Decision

Issues	Outcome			
	Objections	Allowed	Denied	Referred Back to WorkplaceNL
Worker/Dependent Appeals				
Aggravation of Pre-existing Condition	2	1	1	0
Claim Denied	53	19	23	11
Compensation Denied	1	1	0	0
Classification Reassessment	1	1	0	0
Dependency Benefits	1	0	1	0
Early & Safe Return to Work	3	1	2	0
Extended Earnings Loss Benefits	24	6	15	3
Health Care Services	23	9	11	3
Independent Operator	1	0	1	0
Industrial Hearing Loss	14	2	12	0
Other	2	1	1	0
Overpayment	2	0	2	0
Pension Replacement Benefit	1	0	1	0
Permanent Functional Impairment	19	2	11	6
Proportionment	14	7	7	0
Recurrence	14	2	11	1
Reinstatement of Benefits	4	2	1	1
Reopening	6	2	2	2
Wage Loss Benefits	25	13	7	5
Totals	210	69 (33%)	109 (52%)	32 (15%)
Employer Appeals	Objections	Allowed	Denied	Referred to WorkplaceNL
Claim Denied	1	1	0	0
Cost Relief	2	0	2	0
Objection to a Worker's Claim	20	2	14	4
PRIME	2	0	2	0
Totals	25	3	18	4
OVERALL TOTALS	235	72 (31%)	127 (54%)	36 (15%)

Note: Review applications may raise more than one issue/decision for review; cases may also be withdrawn, rendered mute, or dismissed prior to a hearing. As a result, the above numbers may not correlate with the number of review applications filed, objection stated, or decisions rendered. Due to rounding, the total percentages may not equal 100 per cent.

Financial Statement

Expenditures included in this document are unaudited and based on public information provided in the Report on the Program Expenditures and Revenues of the Consolidated Revenue Fund for the Year Ended March 31, 2026. WCIRB is not required to provide a separate audited financial statement.

Statement of Expenditures and Related Revenue UNAUDITED For Fiscal Year Ending March 31, 2026

	2025-26		
	Actual \$	Amended \$	Original \$
Workers' Compensation Independent Review Board			
01. Salaries	1,329,063	1,421,100	1,421,100
Operating Accounts:			
Employee Benefits	3,945	14,500	14,500
Transportation and Communication	18,899	62,200	62,200
Supplies	15,506	16,100	16,100
Professional Services	2,823	45,100	75,100
Purchased Services	20,357	40,300	40,300
Property, Furnishings and Equipment	11,178	4,000	4,000
	<u>\$72,708</u>	<u>\$182,200</u>	<u>\$212,200</u>
02. Revenue - Provincial	<u>(\$1,442,366)</u>	<u>(\$1,633,300)</u>	<u>(\$1,633,300)</u>
Total:	(40,594)	(30,000)	-

Source: Department of Finance (unaudited)

Active Review Commissioners 2025-26

Suzanne Hollett, Chief Review Commissioner (Appointed December 2021)

Suzanne Hollett graduated from the University of New Brunswick with a Bachelor of Laws in 2003. Having worked as both a lawyer and an analyst responsible for legislation pertaining to protection of privacy, access to information and personal health information, she has a broad range of experience in legal analysis, interpretation and dispute resolution.

Shane Hickey, Review Commissioner (Appointed January 2019 – Resigned January 2026)

Shane Hickey graduated from the Dalhousie Faculty of Law in 2011 and was called to the bar in 2012. He has extensive experience in administrative decision making at the adjudication level as well as the review and appeals levels. Most recently, Mr. Hickey was employed as the Director of Employment Standards and Residential Tenancies in the Yukon.

Janet O'Reilly, Review Commissioner (Appointed August 2021)

Janet O'Reilly obtained her LL.B. from Dalhousie University in 1999 and was called to the Bar of Newfoundland and Labrador in 2000. Since that time Ms. O'Reilly has practiced law with Patterson Palmer; clerked at the Court of Appeal; worked as a Corporate Examiner with Johnson Insurance; and most recently, was an Access and Privacy Analyst with the Office of the Information and Privacy Commissioner. Ms. O'Reilly is also a director and actor in the local theatre community.

Stacey Pratt, Review Commissioner (Appointed June 2023)

Stacey Pratt graduated from the University of New Brunswick, Faculty of Law in 2005 and was called to the bar in Newfoundland and Labrador in 2006. She practiced law with McInnes Cooper for a number of years, following which she spent over a decade specializing in legislative analysis and interpretation in the areas of access to information, protection of privacy and personal health information with the Office of the Information and Privacy Commissioner and the Newfoundland and Labrador Centre for Health Information. Following that time Ms. Pratt served as the Legislative Officer/City Clerk with the City of Mount Pearl.

John Goodland, Review Commissioner (Appointed June 2023)

John Goodland graduated from the University of New Brunswick with a Bachelor of Laws in 1999 and was called to the Newfoundland and Labrador Bar in 2000. After ten years in private law practice with various sized law firms in the province, in 2010 Mr. Goodland joined the Office of the Public Trustee, Department of Justice and Public Safety. Before accepting the position as Review Commissioner, Mr. Goodland served as the Public Trustee for the Province of Newfoundland and Labrador for nearly eight years.

Contact Information

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