

DECISION OF THE APPEAL DIVISION

Number 32

June 1, 2001

RE: Delegation by Chief Appeal Commissioner

John Steeves
Chief Appeal Commissioner

1. Section 85(8) of the *Workers Compensation Act* provides:

The chief appeal commissioner may delegate in writing any of the chief appeal commissioner's powers and duties to an appeal commissioner subject to any terms and conditions set out in the delegation.

2. I appoint Jill Callan to serve as deputy chief appeal commissioner of the appeal division. I delegate to her the powers of the chief appeal commissioner under sections 85(7)(b), 85(7)(c), 85.2, and 91(3).
3. In the event of my determining that I am or would be exposed to a possible or actual conflict of interest or appearance of bias with respect to a given case, I delegate all necessary powers to the deputy chief appeal commissioner to act in my place. I also delegate to the deputy chief appeal commissioner the power to exercise all powers, duties, functions and responsibilities of the chief appeal commissioner in my absence.
4. I appoint Randy Lane to serve as assistant chief appeal commissioner of the appeal division. I delegate to him the powers of the chief appeal commissioner under sections 85.2, and 91(3). I also delegate to Randy Lane the powers of the chief appeal commissioner under sections 85(7)(b), 85(7)(c), and those delegated to the deputy chief appeal commissioner in paragraph 3 above, but limited to situations where the deputy chief appeal commissioner is absent or has determined herself to be exposed to a possible or actual conflict of interest or appearance of bias with respect to a given case.
5. I delegate to Paul Petrie the same powers and duties as delegated in paragraph 4 above to Randy Lane, but limited to situations where Randy Lane is absent, or has determined he is exposed to a possible or actual conflict of interest or appearance of bias with respect to the given case.

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6. I delegate to Herb Morton the same powers and duties as delegated in paragraph 5 above to Paul Petrie, but limited to situations where Paul Petrie is absent, or has determined he is exposed to a possible or actual conflict of interest or appearance of bias with respect to the given case.
7. I delegate to Sonja Hadley the same powers and duties as delegated in paragraph 6 above to Herb Morton, but limited to situations where Herb Morton is absent, or has determined he is exposed to a possible or actual conflict of interest or appearance of bias with respect to the given case.
8. I delegate the following authority and power to all non-representational appeal commissioners:
 - a. the same authority as set out in Decision No. 8 [as published at (1992), 8 WCR 331] to determine whether grounds have been provided for reconsideration of a decision of the former commissioners;
 - b. the power to direct that the appeal division reconsider a matter or that the applicant may make a new claim to the board with respect to a matter pursuant to 96.1(3) of the *Workers Compensation Act*, section 23(3) of the *Criminal Injury Compensation Act*, or the common law grounds for reconsideration articulated in appeal division decision #93-0740 [*Right to Reconsider Appeal Division Decisions* (1993), 10 WCR 127];
 - c. to consider and decide a request for an extension of time to appeal, under Section 91(1), 96(6), or 96(6.1) of the *Workers Compensation Act*;
 - d. to grant leave for a further review of the decision of an officer of the board, or the findings and report of an appeal committee, under section 22(5) of the *Criminal Injury Compensation Act*.
9. I retain the powers, duties and authority delegated by me in this decision and will exercise these concurrently with the appeal commissioner(s).
10. These delegations are effective from June 1, 2001 to May 31, 2002, so long as the delegate remains an appeal commissioner.

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11. Subject to paragraph 12 in this delegation, this delegation replaces those contained in Appeal Division Decision #31 (29 November 2000).
12. Any delegated authority or assignment of matters to an appeal commissioner prior to June 1, 2001, pursuant to a delegation of the chief appeal commissioner or acting chief appeal commissioner, continues so that the appeal commissioner may carry out and complete his or her duties and responsibilities, and continue to exercise the powers, contemplated in the delegation, until those specific matters are completed.

John Steeves
Chief Appeal Commissioner