Human Resources Legislative Update

Changes Made to the WSIB Appeals Process

Date: December 4, 2012

On November 29, 2012, the Workplace Safety and Insurance Board ("WSIB") issued a Consultation Report entitled "Modernization of the WSIB's Appeals Program." The Report is the result of a consultation process commenced in June 2012, when the WSIB released a Consultation Paper containing certain key proposed features to increase efficiencies within the WSIB appeals process and invited comments from stakeholders.

In the Report, the WSIB states it will make certain changes to the Appeals Program, including the following:

- names of certain forms will be changed to remove confusion, and the wording of certain forms will be simplified;
- a new Respondent Form will permit a respondent to request the method of resolution;
- the time limit for returning a Respondent Form will increase from 21 days to 30 days;
- a procedural document will contain additional details regarding the types of cases which will be subject to an oral hearing, or which will be dealt with in writing;
- determination of methods of resolution will be made by an Appeals Manager, not an Appeals Resolution Officer; and
- the "downside risk" declaration requirement will be removed from the Appeals Readiness Form

The effective date for the new appeals model will be February 1, 2013.