

## Workplace Safety and Insurance Appeals Tribunal

Established in 1985, the Workplace Safety and Insurance Appeals Tribunal (WSIAT) is the final level of appeal to which workers and employers may bring disputes concerning workplace safety and insurance matters in Ontario. WSIAT has always been separate from and independent of the Workplace Safety and Insurance Board.

### Announcements

#### Important Notice:

### WSIAT Operations during COVID-19 – March 24, 2020 Update

In order to support the province-wide effort to stop the spread of COVID-19, the WSIAT has made the decision to cancel all in-person hearings until **April 17, 2020**.

In addition, effective **March 30, 2020 to April 14, 2020**, the WSIAT is also suspending all on-site services to safeguard the health and well-being of staff and stakeholders. The Tribunal will operate at reduced levels during this period. Thank you for your co-operation and understanding during this time.

Until further notice, the WSIAT's offices are closed, including the Ontario Workplace Tribunals Library and the WSIAT mail room. Please do not send mail, courier or faxes to the Tribunal, or attend at the WSIAT's offices in Toronto or Hamilton.

Individuals can make general inquiries about the WSIAT's operations by calling the WSIAT Call Centre at 416-314-8800 or 1-888-618-8846 or sending an email to [WSIATCallCentre@wst.gov.on.ca](mailto:WSIATCallCentre@wst.gov.on.ca). Please note that this email address is for general inquiries only - **do not submit case-related information to this email address**. To protect private confidential information, the WSIAT **will not** respond to case-related messages sent to this email address and emails with case-related information will be deleted.

Updates about the WSIAT's operations will continue to be posted to this website - please check regularly for the most recent information.

Visit Ontario's [website](#) to learn more about how the province continues to protect Ontarians from COVID-19.

#### Suspension of Limitation Periods and Procedural Timelines

Pursuant to an order made under s. 7.1 of the *Emergency Management and Civil Protection Act*, limitation periods have been suspended for the duration of the emergency, retroactive to March 16, 2020. Procedural time periods have also been suspended, subject to the discretion of the court or tribunal.

After normal operations resume, the WSIAT will accept Notice of Appeal (NOA) forms that are filed outside of the six-month time period in section 125(2) of the WSI Act. Please note that incomplete NOAs submitted on time will be considered to have met the statutory time limits. The WSIAT will also exercise its discretion and reasonably extend timelines for procedural steps. Please be aware that, once normal operations resume, there may be substantial delays in case processing, including the WSIAT communicating with parties and representatives.

#### [WSIAT Chair Appointment](#)<sup>NEW</sup>

#### February 7, 2020

[In-Person Information Session for WSIAT Stakeholders:](#)  
[February 11, 2020, 4:00 – 5:30 p.m.](#)<sup>NEW</sup>

#### January 21, 2020

[Updated and New Practice Directions](#)<sup>NEW</sup>

#### December 24, 2019

[Hamilton Hearing Centre 2020 Changes](#)

#### December 17, 2019

[In-Person Information Session for WSIAT Stakeholders:](#)  
[November 18, 2019, 4 – 5 p.m.](#)

#### November 18, 2019

► [Announcements Archive](#)

#### Highlights of Noteworthy Decisions

[Decision No. 935 19](#)

Determination of the average earnings of a student.

[Decision No. 1051 17](#)

Apportionment of costs of a claim between construction employers.

[Decision No. 819 19 I](#)

Whether an unlicensed representative should be allowed to represent a worker on the basis of the exemption for a friend.

[Decision No. 1905 16 R2](#)

Whether a decision gave adequate reasons for preferring of some evidence over other evidence.

[Decision No. 2530 17 R](#)

Whether there was denial of natural justice due to lack of an interpreter.

[Decision No. 249 19 I](#)

Whether an employer appeal of a decision granting a worker entitlement for mental stress should be referred back to the Board.

[Decision No. 2816 18](#)

Whether the worker was entitled to LOE benefits following termination of employment.

[Decision No. 891 19](#)

Whether a NEL award for chronic obstructive pulmonary disease should be apportioned between occupational exposure and smoking.

[Decision No. 1992 18](#)

Whether a person was a common law spouse of a deceased worker.

[Decision No. 1096 18](#)

Determination of the earnings basis of a student, including the date for recalculation.

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(Please deliver all post and packages to the WSIAT mailroom on 5th floor)

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