

**Workplace Safety and Insurance  
Appeals Tribunal**

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**Tribunal d'appel de la sécurité professionnelle  
et de l'assurance contre les accidents du travail**

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## **Workplace Safety and Insurance Appeals Tribunal**

### **Quarterly Production and Activity Report**

**July 1 to September 30, 2017**

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## **Caseload Reduction: Progress**

The Tribunal is working to reduce the caseload and improve the time to hearing and appeal resolution. This work is showing positive results. At the end of the third quarter 2017, the active inventory totaled 6,534 appeals. This is an 8.6% decrease from the active inventory at the end of Q2 2017.

Positive trends in Q3 2017:

- the active case inventory continued to decline; and
- year to date, the time to first offered hearing date has decreased to 17.3 months (from the time an appeal is confirmed hearing ready) from 18.9 during 2016.

What to expect in the final quarter of 2017:

- a continued focus on reasoned decisions;
- the project to introduce video-conferencing continues;
- new adjudicators joining the WSIAT team; and
- a review of the reconsideration process to reduce wait times.

Thank you for your continued support and cooperation as the Tribunal works to reduce the timelines to hearing and resolution.

If there are questions about timelines in a particular case, please contact the Tribunal's Call Centre at 416-314-8800.

Representatives are asked to avoid late or last minute adjournment requests and withdrawals. Providing sufficient notice of concerns with a hearing date enables the Tribunal to reallocate adjudicator resources to other appeals and effectively use adjudicator time.

As an adjudicative agency in Ontario, and the final level of appeal in the WSI system, the Tribunal focusses on quality adjudication and reasoned decisions, supported by strong process, developed and implemented consistent with the rules of natural justice.

## **Case Management Summary**

At the end of the third quarter 2017, the active inventory totaled 6,534 appeals. The active inventory at the end of the second quarter of 2017 was 7,151 appeals.

### ***Incoming Appeals***

Incoming appeals for Q3-2017 numbered 800; of these, 656 were appeals from WSIB decisions, and 144 appellants advised they were ready to proceed to hearing following a period of inactive status. In 2016, incoming appeals averaged 937.5 per quarter.

The weekly average of hearing-ready appellants in Q3-2017 is 54. This figure excludes cases reactivated from the Inactive status. In 2016, the weekly average of hearing-ready appellants was 72, excluding reactivations.

### ***Dispositions***

Dispositions in Q3-2017 totaled 1,379. This includes 393 dispositions in the pre-hearing areas resulting from dispute-resolution (ADR) efforts, and 986 after-hearing dispositions; of the after-hearing dispositions, 974 followed from Tribunal decisions.

### ***OIC Adjudicator Roster***

During Q3-2017, 2 new part time Vice-Chairs were appointed to the Tribunal. At the end of September, there were 69 Vice-Chairs.

### ***Inactive Inventory***

At the end of Q3-2017, the inactive inventory was 1,635 cases. The inactive inventory at the end of the second quarter in 2017 was 1,704 cases.

### ***Decisions Released within 120 Days***

For the year to date ending Q3-2017, 92% of final decisions were released within 120 days. Comparisons to earlier years can be found in section F: Production Charts.

### ***Timelines***

At the end of the third quarter, the work to reduce the caseload is resulting in improvement to the time to hearing demonstrated in the median time to first offered hearing date.

At the end of September, the median time to first offered hearing date was 17.3 months; in the last quarterly report, the median time was reported as 17.6 months. The goal for the caseload reduction period is to reduce the time to hearing to 9-10 months.

The Tribunal also monitors the percent of dispositions achieved within 9 months, and includes 12 and 18 months in the activity report to enable the community to monitor progress to improve timelines. At the end of the third quarter 2017, there was modest improvement in the percent of cases resolved in 9 and 12 months.

### ***The Notice of Appeal Process***

The Tribunal's Notice of Appeal (NOA) process places responsibility in the hands of the parties and representatives to advance a case, and requires appellants to confirm their readiness to proceed (by filing a Confirmation of Appeal) with their appeals within two years of completing the NOA. The notice (NOA) inventory includes "dormant" cases

that are tracked as part of the Tribunal's case management. Many are expected to close as abandoned appeals after a two-year period expires. At the end of Q3-2017, the notice inventory included 1,208 dormant cases, the active inventory totaled 6,534 cases, and the inactive inventory totaled 1,635 cases.

## Production Tables and Charts

### A. Active Inventory End of Quarter

Period	Active Inventory
Q1-2016	9300
Q2-2016	8939
Q3-2016	8653
Q4-2016	8163
Q1-2017	7660
Q2-2017	7151
Q3-2017	6534

### B. Incoming Appeals

Period	Incoming Appeals
Q1-2016	969
Q2-2016	955
Q3-2016	923
Q4-2016	903
Q1-2017	851
Q2-2017	842
Q3-2017	800

### C. Dispositions

Period	Dispositions – Total	Pre-hearing	After Hearing
Q1-2016	1217	402	815
Q2-2016	1323	420	903
Q3-2016	1204	349	855
Q4-2016	1324	403	921
Q1-2017	1373	437	936
Q2-2017	1388	407	981
Q3-2017	1379	393	986

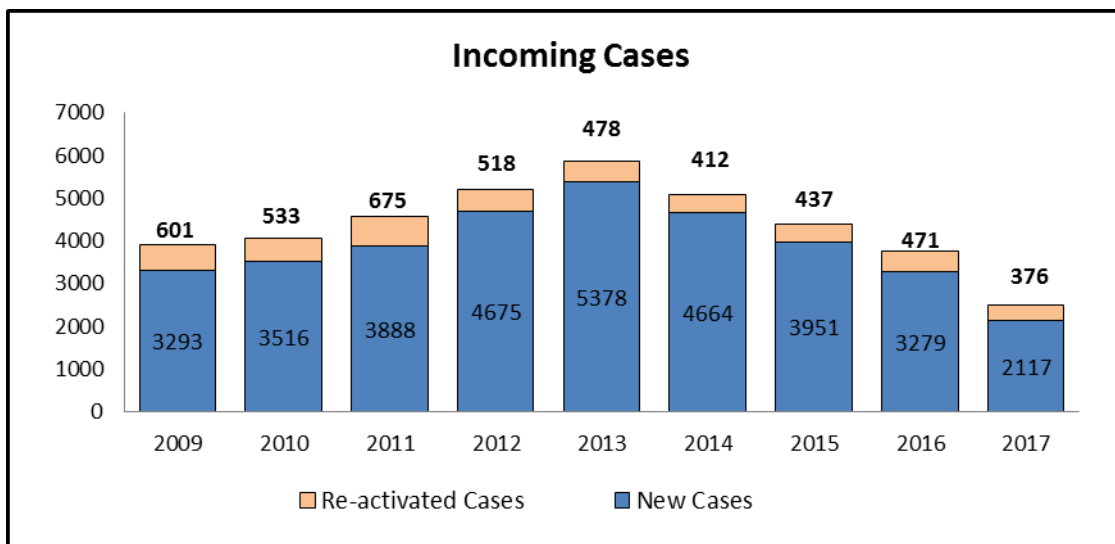
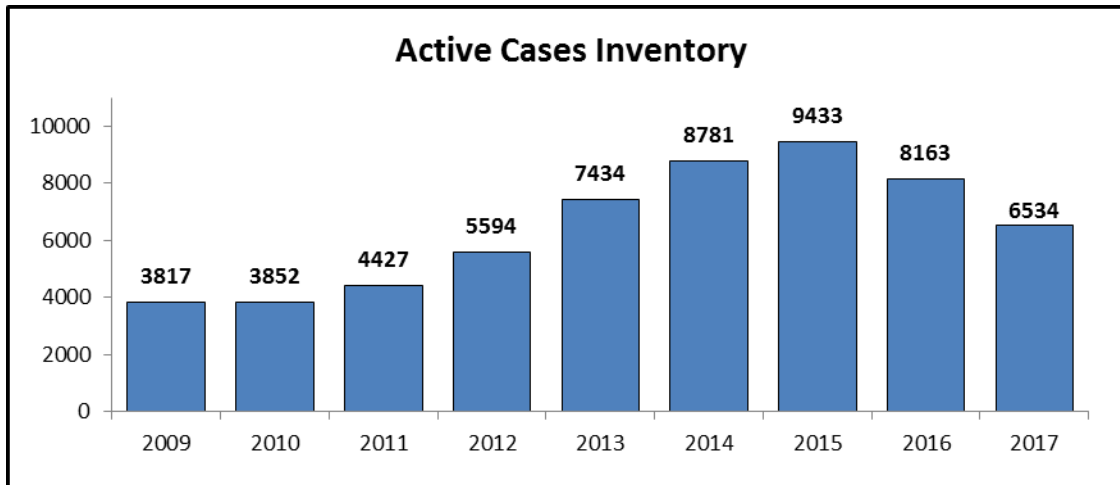
### D. Inactive Inventory

Period	Inactive Inventory
Q1-2016	1756
Q2-2016	1784
Q3-2016	1717
Q4-2016	1683
Q1-2017	1694
Q2-2017	1704
Q3-2017	1635

### E. Notice of Appeal (Dormant cases)

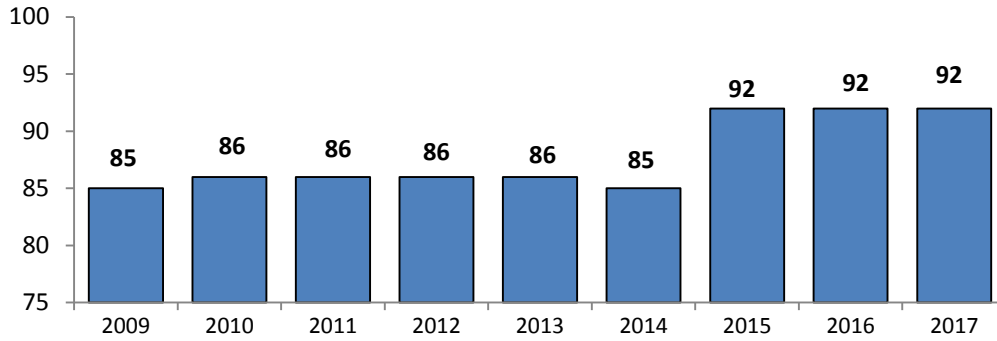
Period	Total Dormant	Change from Previous Quarter
Q1-2016	1159	-115
Q2-2016	1152	-7
Q3-2016	1157	5
Q4-2016	1226	69
Q1-2017	1207	-19
Q2-2017	1170	-37
Q3-2017	1208	38

## F. Production Charts: From 2009 to 2017

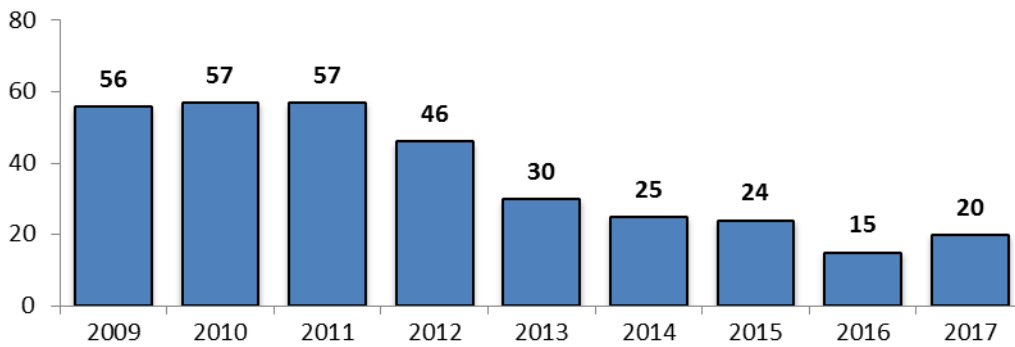




### Final Decisions % Released Within 120 Days



### Percent Disposed of Within 9 Months



### Percent Disposed of Within 12 Months

