

**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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Quarterly Production and Activity Report

October 1 to December 31, 2017

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Caseload Reduction: Progress

During 2017, the Tribunal made significant progress reducing the caseload to 6,035 appeals; a reduction of over 2,000 appeals or 26% from the start of the year. The work of adjudicators and staff, with the support of the Ministry of Labour and the representative community, is also reflected in the reduction for the overall time to first offered hearing date during the year.

Positive trends in 2017:

- New adjudicators joined the Tribunal roster;
- The active case inventory declined;
- The overall time to first offered hearing date declined; and
- The percent of appeals resolved in 9, 12 and 18 months improved.

What to expect in 2018:

- A continued focus on reasoned decisions;
- A focus on hearings in the regional centres to improve and balance the time to hearing across the province; and
- Work to review and update the appeal process.

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 fourth quarter 2017, the active inventory totaled 6,035 appeals. The active inventory at the end of the third quarter of 2017 was 6,536 appeals.

Incoming Appeals

Incoming appeals for Q4-2017 numbered 752; of these, 628 were appeals from WSIB decisions, and 124 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 Q4-2017 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 Q4-2017 totaled 1,328. This includes 374 dispositions in the pre-hearing areas resulting from dispute-resolution (ADR) efforts, and 954 after-hearing dispositions; of the after-hearing dispositions, 920 followed from Tribunal decisions.

OIC Adjudicator Roster

During Q4-2017, 6 new part time Vice-Chairs were appointed to the Tribunal. At the end of December, the adjudicator roster was comprised of 73 Vice-Chairs and 28 Members.

Inactive Inventory

At the end of Q4-2017, the inactive inventory was 1,483 cases. The inactive inventory at the end of the third quarter in 2017 was 1,634 cases.

Decisions Released within 120 Days

For the year to date ending Q4-2017, 93% 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 fourth 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.

For the year, January to December, the median time to first offered hearing date was 16.6 months. For the last quarter, the median time to first offered hearing date was reported as 14.3 months, which is a reduction from the first quarter at 18.9 months. The goal for the caseload reduction period is to reduce the time to hearing to 9-10 months. For 2018, the aim is for all the hearing centres to have a time to first offered hearing date within 12 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 fourth quarter 2017, there was modest improvement in all three timeframes.

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 Q4-2017, the notice inventory included 1,133 dormant cases, the active inventory totaled 6,035 cases, and the inactive inventory totaled 1,483 cases.

Production Tables and Charts

A. Active Inventory End of Quarter

Period	Active Inventory
Q1-2016	9301
Q2-2016	8940
Q3-2016	8654
Q4-2016	8164
Q1-2017	7661
Q2-2017	7152
Q3-2017	6536
Q4-2017	6035

B. Incoming Appeals

Period	Incoming Appeals
Q1-2016	969
Q2-2016	955
Q3-2016	923
Q4-2016	903
Q1-2017	850
Q2-2017	841
Q3-2017	799
Q4-2017	752

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	1372	437	935
Q2-2017	1387	407	980
Q3-2017	1377	391	986
Q4-2017	1328	374	954

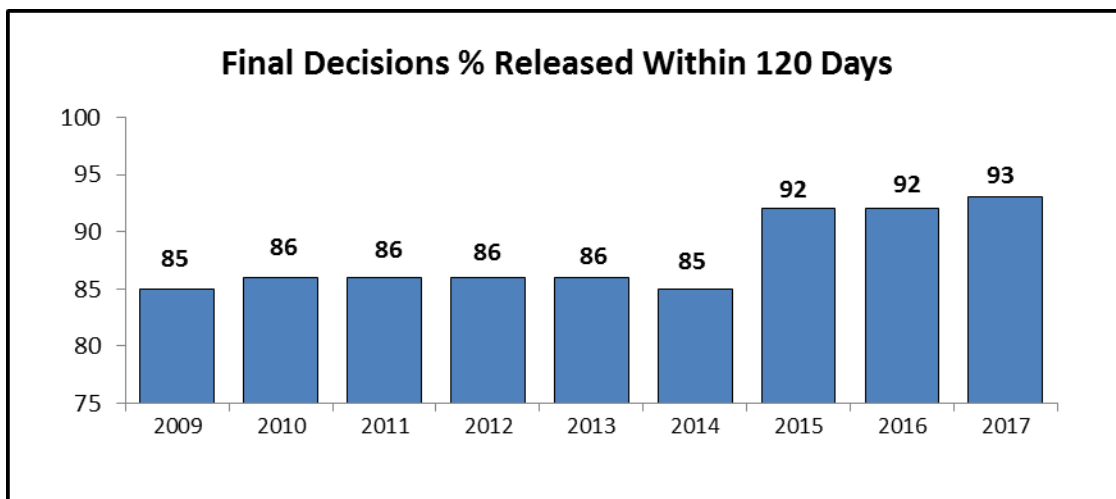
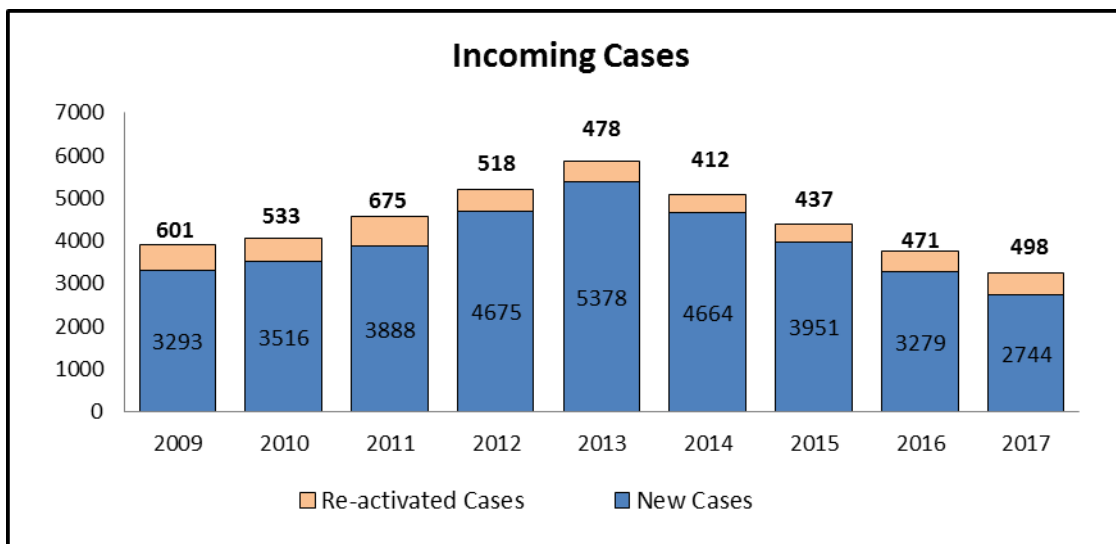
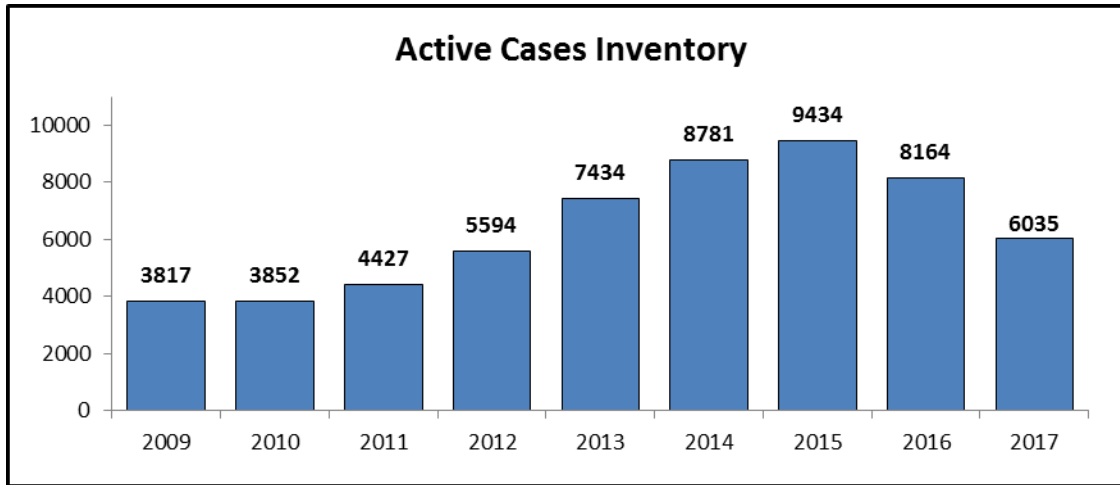
D. Inactive Inventory

Period	Inactive Inventory
Q1-2016	1756
Q2-2016	1784
Q3-2016	1717
Q4-2016	1683
Q1-2017	1694
Q2-2017	1704
Q3-2017	1634
Q4-2017	1483

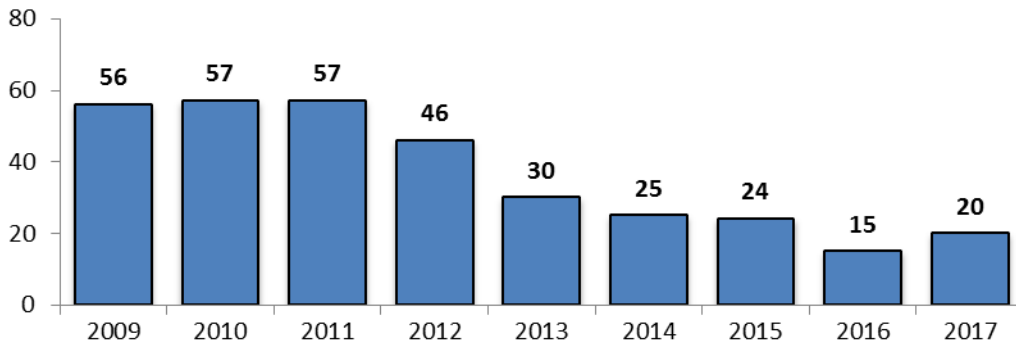
E. Notice of Appeal (Dormant cases)

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
Q4-2017	1133	-75

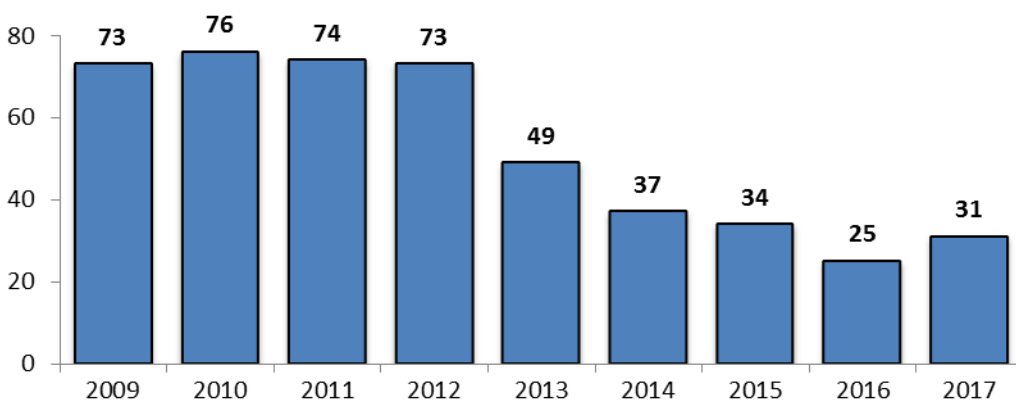
F. Production Charts: From 2009 to 2017



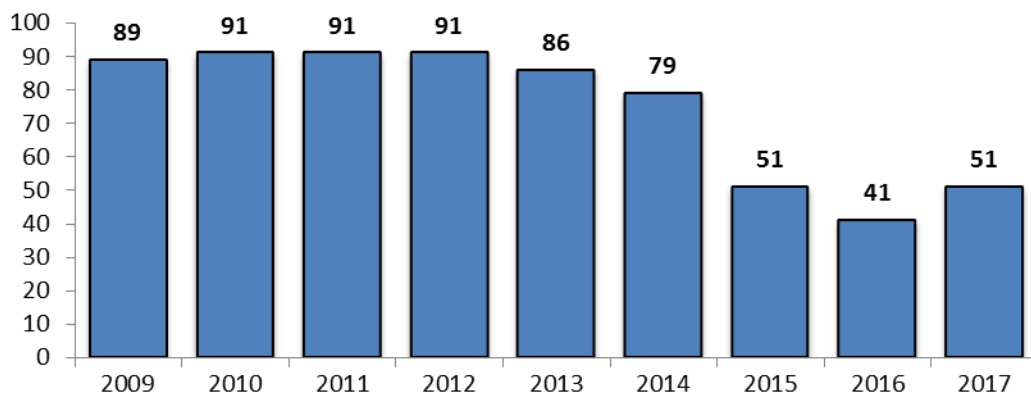
Percent Disposed of Within 9 Months



Percent Disposed of Within 12 Months



Percent Disposed of Within 18 Months



First Offered Hearing Date (median age months)

