



Practice Direction #33

Role of the Vice-Chair Registrar at the WSIAT

1.0 This Practice Direction

- explains the role and responsibilities of the Vice-Chair Registrar

2.0 Role of the Vice-Chair Registrar

2.1 The Vice-Chair Registrar (VCR) is a Vice-Chair. In addition to adjudicating appeals, the VCR has two broad areas of responsibility.

- a. The VCR provides direction and makes rulings in cases where there is no seized Vice-Chair or Panel, or when a Vice-Chair or Panel has not yet been assigned.
- b. The VCR provides direction and adjudicative guidance on pre-hearing processes.

2.2 Requests for VCR direction are usually made by staff. Parties may also request VCR direction if there is no seized Vice-Chair or Panel, or when a hearing Vice-Chair or Panel has not yet been assigned.

2.3 Requests for direction and the VCR rulings are

- provided in writing
- communicated to the parties
- form part of the case materials

2.4 The VCR may provide direction on a number of issues including, but not limited to

- the appropriate hearing format
- the WSIAT's jurisdiction
- the issue agenda
- if documents or other evidence should be produced
- if a witness should be summonsed to appear at a hearing

- if an appeal may proceed when there are outstanding issues being pursued at the Workplace Safety and Insurance Board (WSIB)
- if an appeal may be placed, or remain, in inactive status
- if an appeal has been abandoned and should be closed
- if documents in the WSIB claim file should be included in or excluded from the record
- if a pre-hearing conference should be scheduled due to the complexity of the case

2.5 The reasons for the VCR direction may be brief. This is so an appeal or application can proceed as quickly as possible.

2.6 If a party objects to a VCR ruling, they may raise their objection with the Vice-Chair or Panel hearing the appeal. The VCR's rulings are subject to the discretion of the Vice-Chair or Panel hearing the appeal. The VCR may be assigned to hear the matter on the merits.

3.0 References and Resources

3.1 *Workplace Safety and Insurance Act, 1997* section 131 (the WSIAT can determine its own practice and procedure)

3.2 Related Practice Directions

#3 – Consent for the WSIAT to Release a Worker's Information

#4 – How to Prepare an Appeal at the WSIAT

#5 – Hearing Formats

#8 – Disclosure

#9 – Evidence

#12 – Summonses and Production of Documents

#31 – Powers of Practice and Procedure