



Practice Direction #35

Calculation of Time

1.0 This Practice Direction

- explains how days are counted when something needs to be done within a certain number of days
- applies to time periods in
 - Practice Directions
 - Vice-Chair and Panel decisions or directions
 - letters from WSIAT staff

2.0 Holiday

2.1 “Holiday” means any day that the WSIAT is closed. This includes

- Saturdays
- Sundays
- Easter Monday
- November 11th
- statutory holidays

3.0 How Time is Counted

3.1 If WSIAT materials reference a number of days, the days are calendar days. The first day is not included and the last day is included. For example, 7 days from October 21st would be October 28th. October 21st is not included. October 28th is included.

3.2 If an action needs to be done within a number of weeks, the first day of the first week is not included. The last day of the last week is included.

3.3 If the due date is a holiday, the due date will be the next day that is not a holiday.

3.4 If information is received on a holiday, it will be marked received on the next day that is not a holiday.

3.5 Information is due by 5:00 pm on the due date.

4.0 Changing Time Periods

4.1 The WSIAT can change the due date for information as it deems appropriate.

4.2 A Vice-Chair or Panel can change the time that is set out in a

- Practice Direction
- decision
- ruling

4.3 If the due date is set by WSIAT staff in correspondence, the WSIAT can vary the time.

5.0 References and Resources

5.1 Legislative Authority

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

5.2 Related Practice Direction

#36 – Delivery and Filing Documents