

2019

Quarterly Production and Activity Report

January 1 to March 31, 2019

WSIAT

Caseload Reduction: Progress

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

Adjudicators and staff, together with the support of the representative community, have succeeded in reducing the Tribunal's caseload and improved the time to hearing and appeal resolution.

What to expect in the first half of 2019:

- a continued focus on reasoned decisions;
- further work to reduce the time to hearing and timelines generally;
- work in inactive appeals to ensure a bring forward process is in place or to close an appeal if the appellant does not plan to proceed;
- pilot project development to offer electronic case materials to parties who volunteer; and
- our ADR program lead will continue project work on early intervention as a means to resolve appeals and, later in the year, explore community interest in 2-party mediations

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

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.

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

Case Management Summary

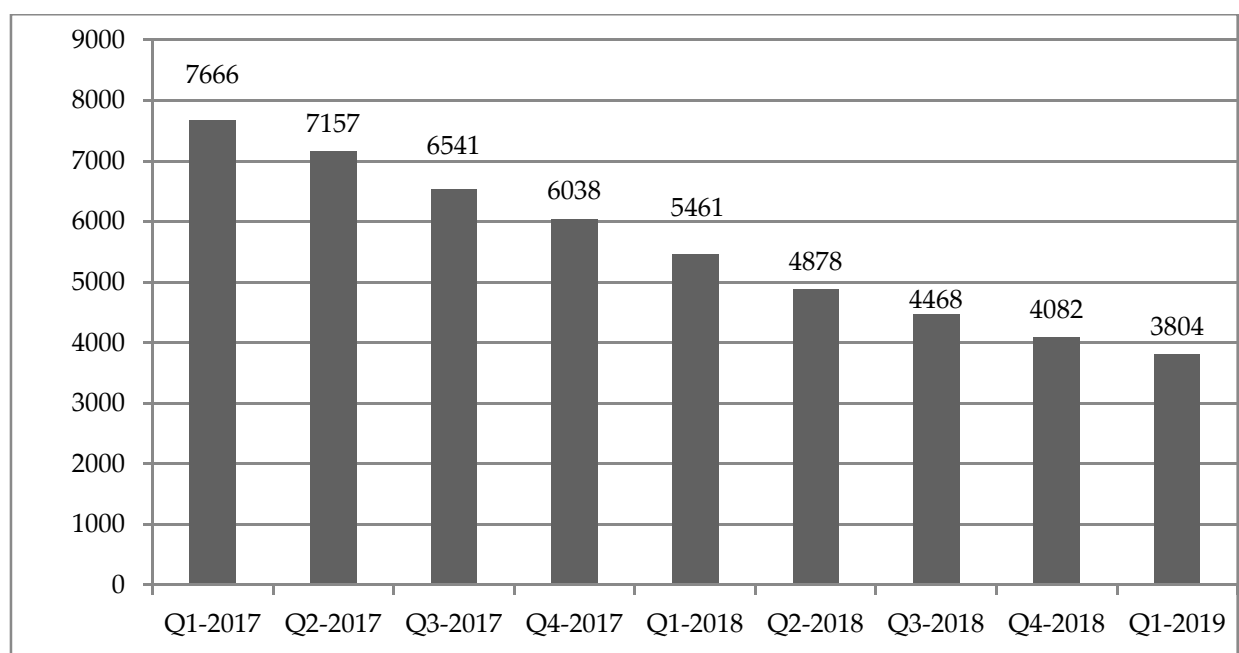
The Notice of Appeal Process

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

Appeal Inventory – Active Cases

The Tribunal's appeal inventory is composed of active, dormant, and inactive cases which are all tracked as part of the Tribunal's case management system.

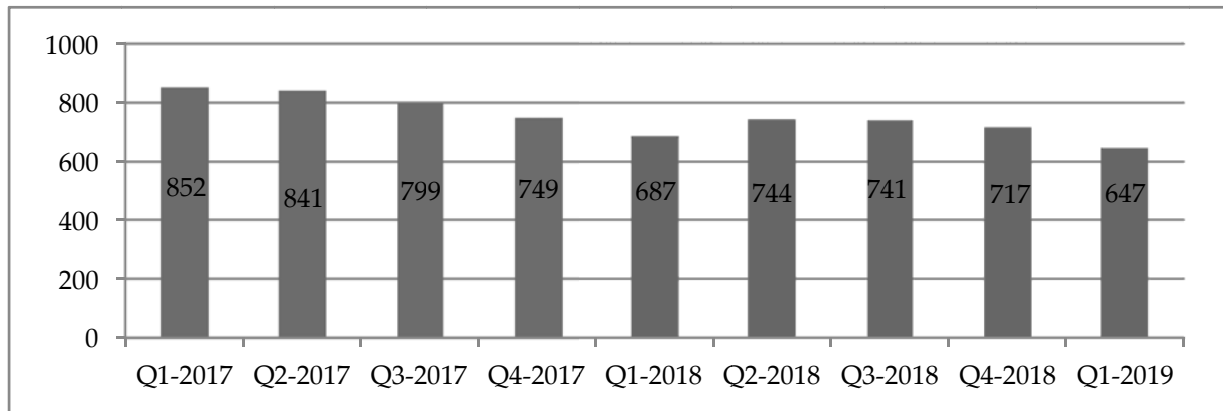
The **active** inventory continued to decrease in Q1 2019. At the end of the fourth quarter 2018 the inventory totaled 4,082 appeals. At the end of the first quarter 2019, the inventory totaled 3,804 active cases.



The continued success to reduce the active inventory is attributed to two key factors: firstly, the high disposition rate the Tribunal has achieved via the increased roster of OIC adjudicators and Alternative Dispute Resolution (ADR) efforts and, secondly, a decrease in the number of incoming appeals.

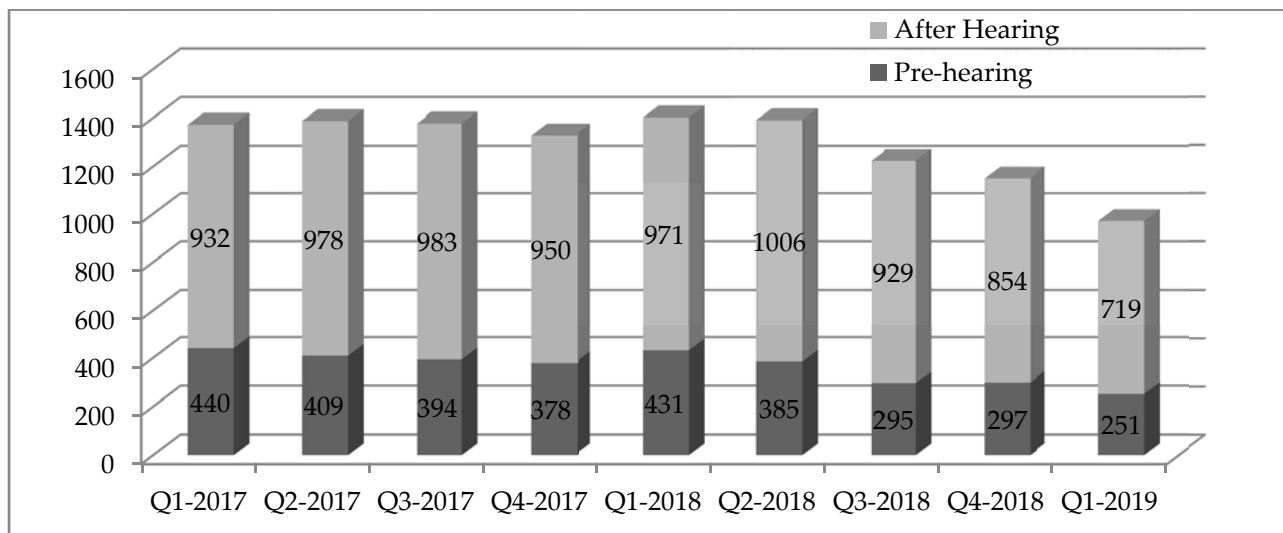
Incoming Appeals

Incoming appeals for Q1-2019 numbered 647; of these, 539 were appeals from WSIB decisions, and 108 appellants advised they were ready to proceed to hearing following a period of inactive status. In 2018, incoming appeals averaged 722 per quarter.



Dispositions

Dispositions in Q1-2019 totaled 970. This includes 251 dispositions in the pre-hearing areas resulting from ADR efforts, and 719 after-hearing dispositions.



Timelines

Time to Hearing – There is a direct correlation between reducing the Tribunal's active inventory and reducing the time to hearing.

Reduction of the overall time to hearing is a key Tribunal objective for 2019.

Time to hearing declined from 12.7 months in Q1 2018 to 9.9 months in Q1 2019. Although the Q1 2019 time to hearing increased slightly compared to Q4 2018, the Tribunal plans that the time to hearing will decline further in 2019 with the continued reduction of the hearing caseload.

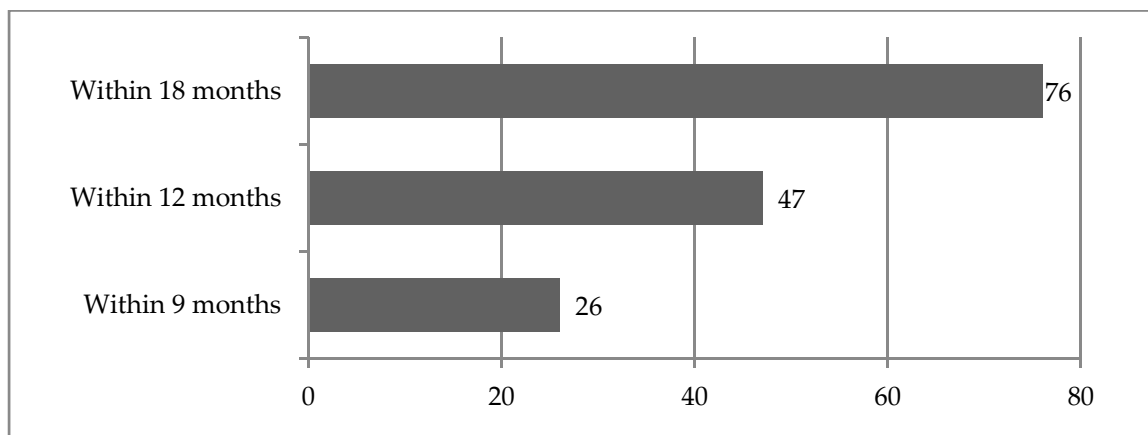
	Q1 - 2018	Q2 - 2018	Q3 - 2018	Q4-2018	Q1-2019
Median Time to First Offered Hearing Date (in months)	12.7	11.3	9.9	9.8	9.9

For 2018, the agency achieved the goal of time to first offered hearing date within 12 months. The Tribunal's updated goal for 2019 is a time to first offered hearing date at or under 10 months, and then reduced further to under 8 months in 2020-21.

Decision Release - For the year to date ending Q1-2019, 85% of final decisions were released within 120 days.

Time to Disposition - The Tribunal also monitors the percent of dispositions achieved within 9, 12, and 18 months to enable the community to monitor progress to improve timelines. Modest gains were made in all three timeframes in the quarter.

% Dispositions Achieved in Quarter



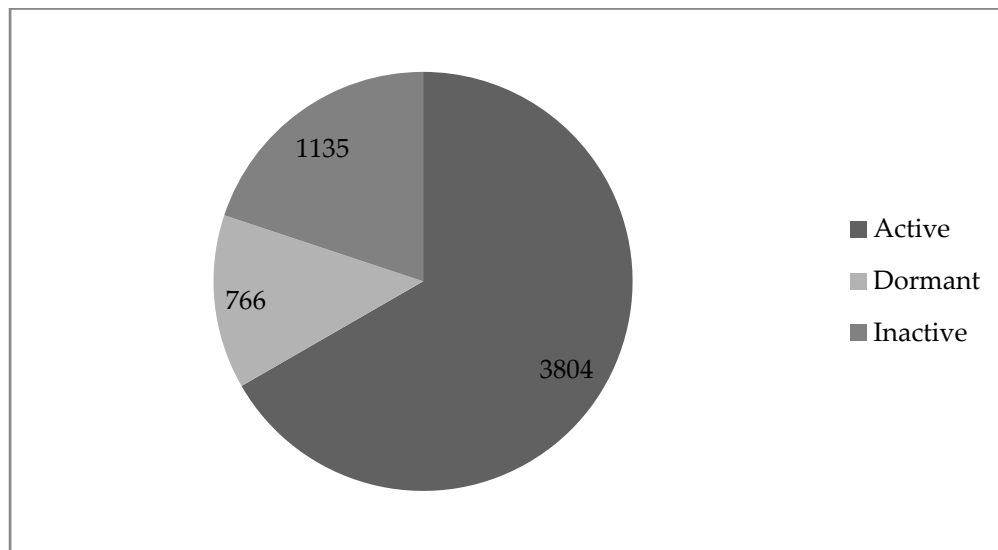
Appeal Inventory – Cases Not Ready to Proceed

Dormant and inactive appeals capture two forms of cases that are **not ready** to proceed to a hearing: dormant cases are cases within the two year notice period, and inactive cases are those not ready to proceed that are beyond the two year notice period.

Parties are typically not ready to proceed because they are either pursuing outstanding issues at the Board, pursuing outstanding evidence, or need time to find a representative. Many dormant and inactive appeals close as abandoned.

The goal for 2019 is to have the inactive inventory at steady state; meaning that all cases in the inventory have a follow up date attached to them in order to effectively monitor these cases, similar to the way dormant cases are managed.

At the end of Q1-2019, the Tribunal's total inventory included 3,804 active cases, 766 dormant cases, and 1,135 inactive cases.



OIC Adjudicator Roster

At the end of Q1-2019, the adjudicator roster was composed of 59 Vice-Chairs and 32 Members. During Q1-2019, no new OIC adjudicators were appointed to the Tribunal.