

2019

Quarterly Production and Activity Report

April 1 to June 30, 2019

WSIAT

Caseload Reduction: Progress

The Workplace Safety and Insurance Appeals Tribunal is the final level of appeal for workplace safety and insurance matters. As an adjudicative agency in Ontario's administrative justice system, the Tribunal is committed to improving the timeliness and efficiency of its processes, while maintaining the high standards of impartiality, independence, and adjudicative excellence that the Tribunal's stakeholders expect and deserve.

OIC adjudicators and staff, together with the co-operation of the representative community, have succeeded in reducing the Tribunal's caseload and improved the time to hearing and appeal resolution.

Positive trends in the first half of 2019:

- the active case inventory continued to decline;
- OIC adjudicators continued to issue well-reasoned decisions in a timely manner;
- the Tribunal continued to work on early intervention and alternative dispute resolution (ADR) to resolve appeals without a hearing, where appropriate.

What to expect in the second half of 2019:

- 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
- explore community interest in two-party mediations.

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

Representatives are asked to avoid late adjournment requests and withdrawals. Providing sufficient notice of concerns with a hearing date enables the Tribunal to reallocate adjudicative resources to other appeals and effectively use the OIC adjudicators' 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

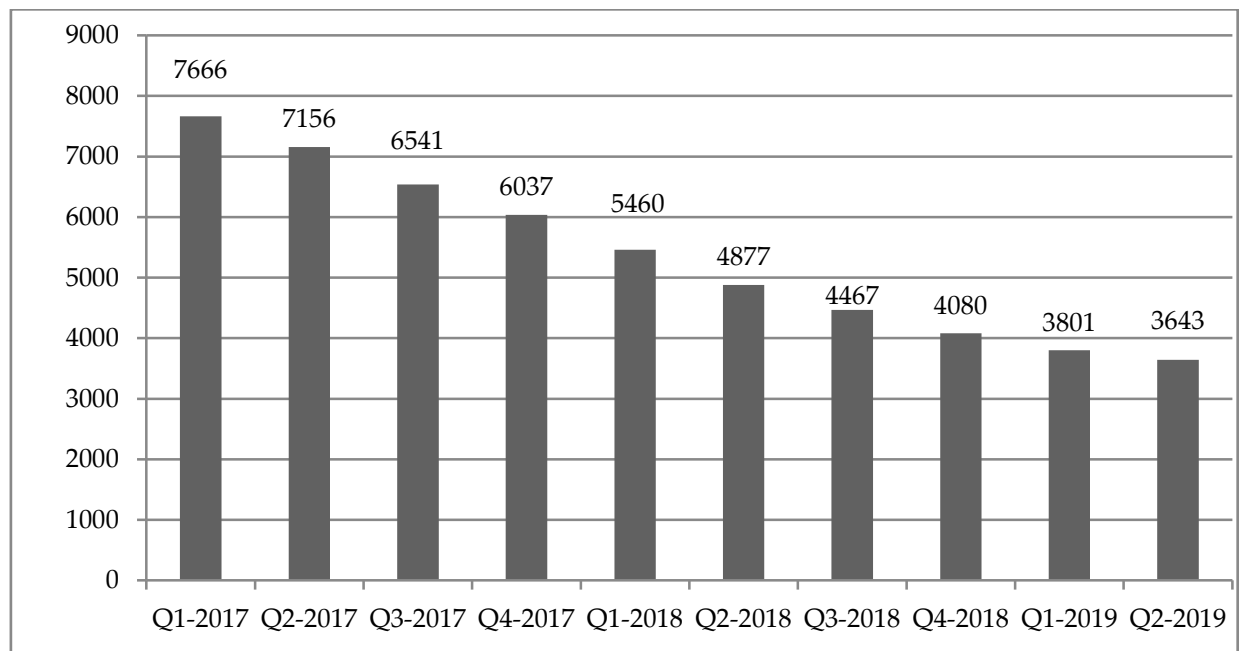
The Notice of Appeal Process

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 Q2 2019. At the end of the fourth quarter 2018 the inventory totaled 4,080 appeals. At the end of the first quarter 2019, the inventory totaled 3,801 active cases. At the end of the second quarter 2019, the inventory totaled 3,643 active cases.

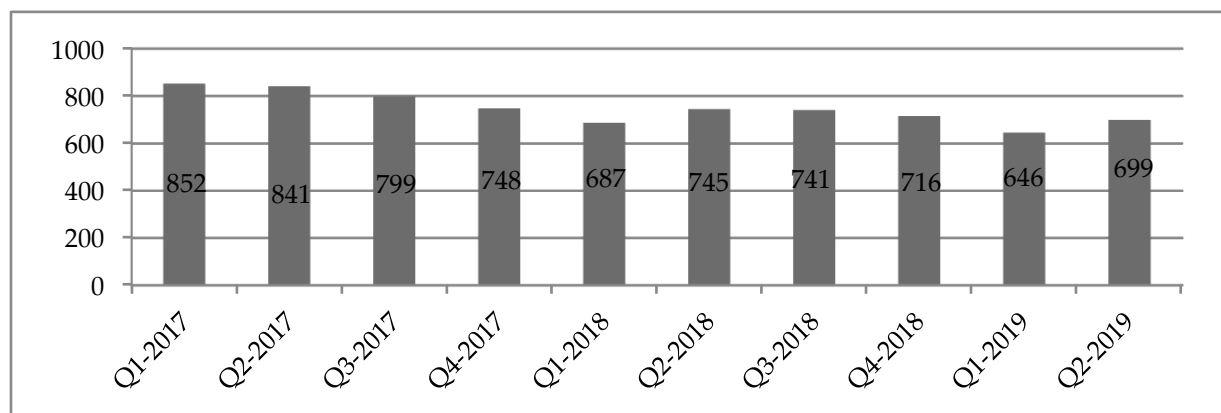


The continued success in reducing the active inventory is attributed to two key factors: firstly, the high disposition rate the Tribunal has achieved via the increased roster of

OIC adjudicators and Alternative Dispute Resolution (ADR) efforts; and, secondly, a decrease in the number of incoming appeals.

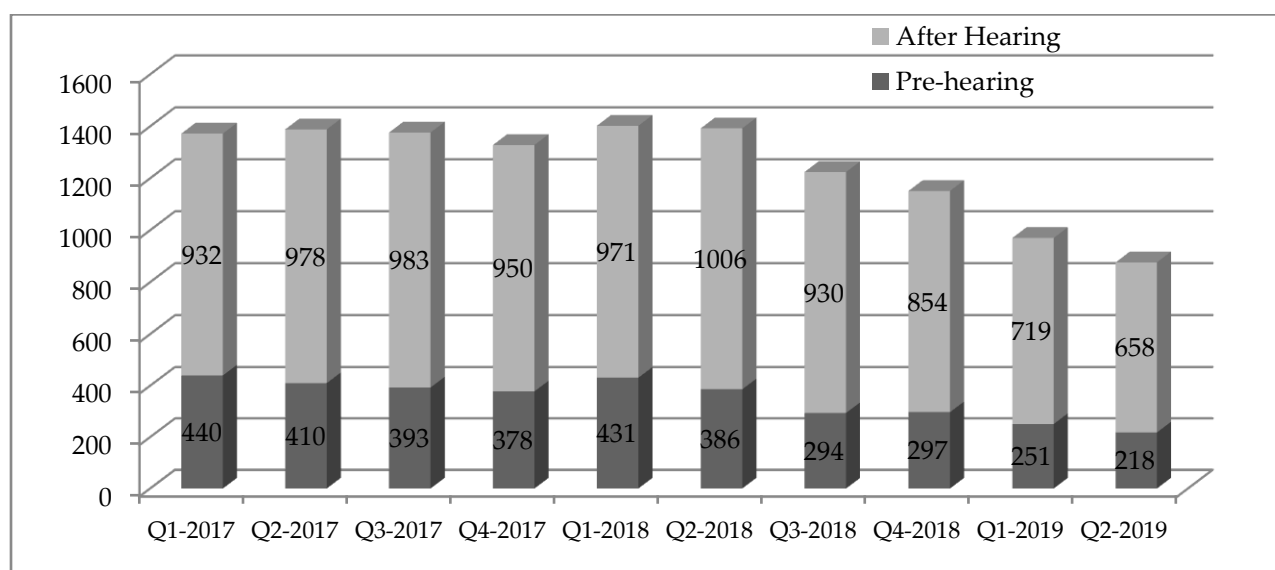
Incoming Appeals

Incoming appeals for Q2-2019 numbered 699; of these, 591 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 Q2-2019 totaled 876. This includes 218 dispositions in the pre-hearing areas resulting from ADR efforts, and 658 after-hearing dispositions, the majority of which are decisions issued by OIC adjudicators.



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.

The time to hearing declined from 12.7 months in Q1 2018 to 10.3 months in Q2 2019. Although the Q2 2019 time to hearing increased slightly compared to Q1 2019, the Tribunal expects that the time to hearing will decline further in 2019 with the continued reduction of the hearing caseload.

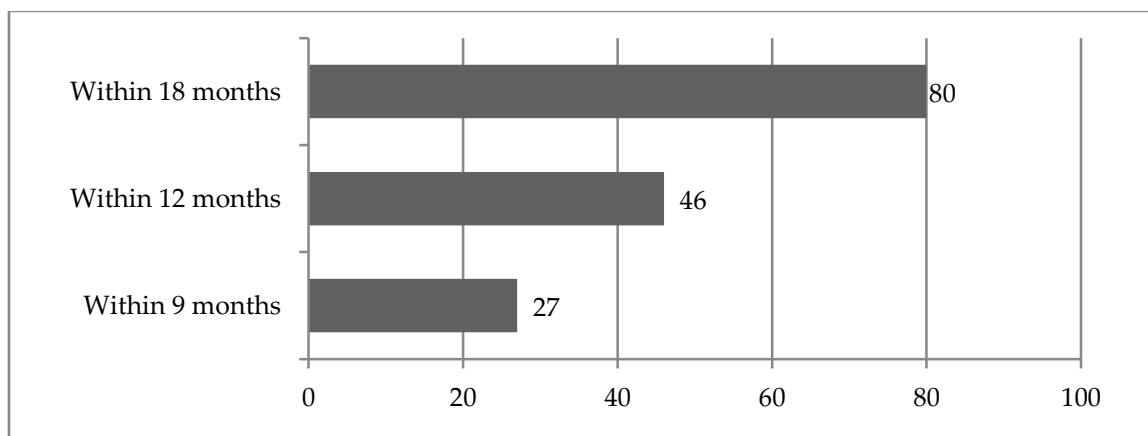
	Q1 - 2018	Q2 - 2018	Q3 - 2018	Q4-2018	Q1-2019	Q2-2019
Median Time to First Offered Hearing Date (in months)	12.7	11.3	9.9	9.8	9.8	10.3

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 Q2-2019, 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



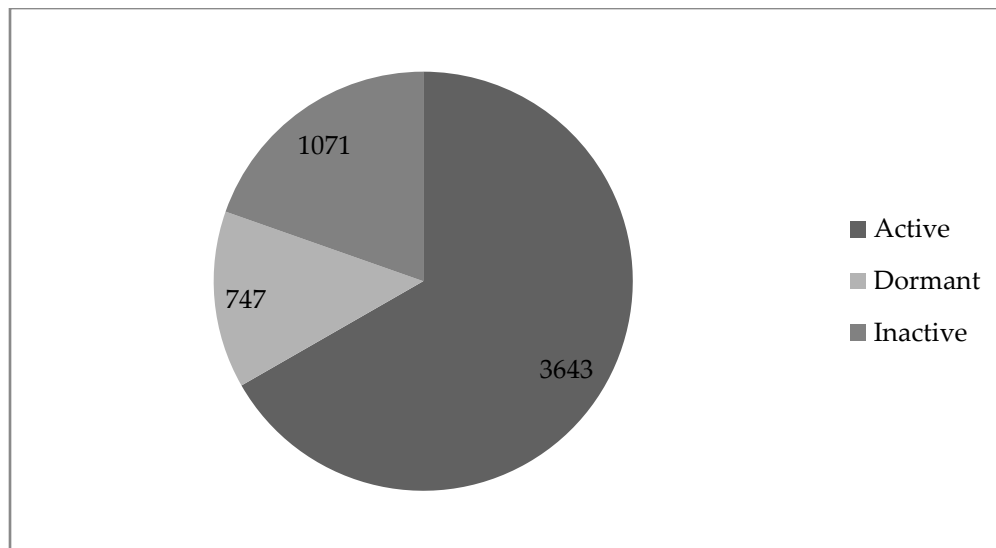
Appeal Inventory – Cases Not Ready to Proceed

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 Q2-2019, the Tribunal's total inventory included 3,643 active cases, 747 dormant cases, and 1,071 inactive cases.



OIC Adjudicator Roster

At the end of Q2-2019, the adjudicator roster was composed of 55 Vice-Chairs and 31 Members. During Q2-2019, no new OIC adjudicators were appointed to the Tribunal.