

APPEALING or OBJECTING TO A WSIB DECISION

Whenever WSIB makes a decision, you are entitled to object to that decision. This fact sheet will explain how to do that.

First, you will receive a letter from WSIB that clearly states what the decision is and how they reached it. The letter will also have a bolded paragraph that will tell you how long you have to object to the decision. **It is very important that you are aware of the time limit, and that you act on it, within that time frame.** If you miss the time limit, there is a very good chance that you will lose the opportunity to do so.

There are three steps you can take to change a decision, they are discussed below

1. Reconsiderations
2. Appeals Resolution Officer (ARO) appeal
3. Workplace Safety and Insurance Appeals Tribunal (WSIAT)

If you do not agree with the decision maker's decision there are a couple of ways to let WSIB know. You can write a letter explaining that you do not agree and give the reasons why you don't agree and ask for a reconsideration. When asking for a reconsideration add any new information that you have that may help the decision maker see your side of things. By doing this you are allowing the decision maker to change her/his mind.

If the decision maker chooses not to change the decision, then you can fill out an Intent to Object Form (ITO), **within the time limit**, which can be found on the WSIB website (workers → forms) or you can come into our office and we will help you learn how to fill out the form, and fax it to WSIB for you.

Once you have sent in your Intent to Object Form, you have an unlimited amount of time to get ready for your appeal. WSIB will send you your file and with it you will get an Appeals Readiness Form. The Appeals Readiness form is not to be filled out until you are ready for your appeal. The Appeals Readiness Form can be filled out by you, or your representative. If you do not want to or are not able to do the appeal you can have your name put on a waiting list with the Ontario Worker's Advisor (OWA) to see if they will take your appeal. Unfortunately, the wait times for the Ontario Worker's Advisor can be approximately 18 months.

All though our office does not do appeals, we can review your file, and let you know what is needed at appeals.

If you are not satisfied with the decision in your appeal at the ARO level, you can make a final appeal to the Workplace Safety and Insurance Appeals Tribunal (WSIAT). WSIAT is an external administrative appeal tribunal. We strongly suggest you get professional assistance if you are going to appeal to WSIAT.

Do not miss your time limits!!!!!!