



In Focus

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The Newsletter of the Workplace Safety and Insurance Appeals Tribunal

WSIAT Recognized with 2003 Public Sector Quality Fair Award

The Workplace Safety and Insurance Appeals Tribunal is the recipient of a 2003 Public Sector Quality Fair (PSQF) award for its use of quality management principles and practices. The Tribunal has received a bronze award for its quality initiative, “A New WSIAT Appeal Application Process,” a two-staged appeal application process, first introduced in 2001, that improved customer service by increasing appeal process efficiency and significantly reducing the wait time to hearings.

The Tribunal’s quality initiative was evaluated against the National Quality Institute’s “Canadian Quality Criteria for Public Sector Excellence,” earning it the opportunity to be an exhibitor at this year’s fair, held in Toronto on October 30, 2003.

NEW FEATURES ADDED TO WSIAT WEB SITE (www.wsiat.on.ca)

The following documents are now available on the web site:

- Frequently Asked Questions (FAQs) about the Workplace Safety and Insurance Appeals Tribunal

This item provides answers to frequently asked questions pertaining to the following topics:

- ▶ General Information about the Tribunal
- ▶ Filing an Appeal
- ▶ Pre-Hearing Preparation

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WSIAT STAFF ACTIVITIES

Tribunal staff and OICs regularly participate in conferences and training sessions. The information that follows summarizes the participation which occurred over the past few months.

Daniel Revington, General Counsel, participated in a Panel discussion at the Lancaster House Workers’ Compensation Conference in early October. The Panel topic was Adjudicating Occupational Disease Claims.

The Vice-Chair Registrar, Martha Keil, continued her work with the SOAR adjudicator training program by presenting a seminar on decision writing. The Vice-Chair Registrar also spoke to the London Regional Advocates Group at the request of the Office of the Worker Adviser. The topics of discussion included written cases and advice about representing clients before the Tribunal.

At the COBA Conference, 2003, the late Nick McCombie (1949-2003) was honoured with a SOAR Medal for his contributions to workplace safety and insurance. Nick was a Tribunal member

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NEWS FROM MLO

Medical Discussion Papers

The Tribunal has discussion papers on a variety of medical topics that are commonly involved in appeals. The papers are intended to provide a broad and general overview of a topic, and are written to be understood by lay individuals. They are intended to serve as educational tools, providing general information to assist Panels and parties in understanding the medical issue in question. The papers are available to the public on the Tribunal's web site, and the Library.

The following discussion paper has been added to the list of papers that are already available:

- Fibromyalgia

The following discussion paper has been retired from circulation:

- Interstitial Lung Disease and Beryllium Related Disease

This remains available in the vertical files of the Library.

Medical Generic Reports

At times, medical assessors provide reports on individual cases that contain generic information on a particular medical topic. In such cases the reports are anonymized and forwarded to the library.

The following medical generic reports have been placed in the Library and are available in the vertical files:

TITLE	AUTHOR	DATE	LIBRARY LOCATION
Alzheimer's, role of aluminum neurotoxicity	Dr. John R. Wherrett	July 2, 2003	VF 11261
Leukocytoclastic vasculitis: general information, causes, relationship to chemicals, cobalt chloride	Dr. Manfred Harth	July 18, 2003	VF 11262
Chronic idiopathic recurring urticaria, patch testing, urticaria, allergic contact dermatitis	Dr. Sandy Skotnicki-Grant	September 2, 2003	VF 11263
Renal failure / renal dysfunction related to medication: Lithium, Amphotericin B, Vasotec Measurement of renal function	Dr. Peter Magner	September 10, 2003	VF 11264

All discussion papers and medical generic reports listed above are available in the Ontario Workplace Tribunals Library. When ordering medical generic reports, please quote the Library location number. Self-serve photocopies may be made in the Library for 20 cents per page. Alternatively, copies may be ordered for \$5 per document.

WSIAT PUBLIC INFORMATION MEETINGS 2003

The Workplace Safety and Insurance Appeals Tribunal is pleased to continue its program of public information meetings, aimed at assisting its clients to better understand and access its processes and services.

In order to provide an update on services and process changes, and to invite feedback from our clients, the Tribunal will be holding public meetings periodically in centres throughout Ontario where it holds hearings. Each session will include a presentation on current Tribunal processes and services as well as the opportunity for discussion with Tribunal members about hearing preparation, presentation and other issues.

SESSIONS ARE SCHEDULED TO TAKE PLACE IN:

Thunder Bay

(Tuesday, November 18, 2003)
(9:00am - 11:00am)
Valhalla Inn
1 Valhalla Inn Road
Thunder Bay, Ontario P7E 6J1
(807) 577-1121

Burlington

(Tuesday, December 9, 2003)
(9:00am - 11:00am)
Travelodge Hotel
2020 Lakeshore Road
Burlington, Ontario L7R 4G8
(905) 681-0762

For more information and a complete schedule of upcoming sessions, visit our web site at: www.wsiat.on.ca or contact the Tribunal's Resource Department at: (416) 314-3733, or toll free at: 1-888-618-8846 ext. 4-3733.

WSIAT Staff Activities

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from the agency's beginnings in 1985, and came to the Tribunal after years of service as a community legal worker, co-ordinator, trainer and teacher.

On October 30, 2003, Special Projects Counsel, Susan Adams, and Resource Department Manager, David Beattie, participated in the 2003 Public Sector Quality Fair in Toronto as the Tribunal's representatives. The Tribunal's quality initiative entry at the fair, "A New WSIAT Appeal Application Process," was recognized with a bronze award.

DECISION SUMMARY SEARCH TIP

Searching by Act

Cases regarding accidents occurring before January 1, 1998, are decided under provisions of the *Workers' Compensation Act* (WCA). Cases regarding accidents occurring after January 1, 1998, are decided under provisions of the *Workplace Safety and Insurance Act* (WSIA).

When searching the Decision Summary database, you may want to limit your results to cases decided under the *Workers' Compensation Act* or the *Workplace Safety and Insurance Act*. To limit your search in this manner:

- click on the drop-down box (in which "References" is listed as the default)
- select "Section of the Act"
- enter WCA or WSIA in the accompanying search field.

This should be done in conjunction with a search of another field, such as the Keyword field or the Summary field.

New Features Added *continued from page 1*

- ▶ Scheduling a Hearing
- ▶ WSIAT Hearings
- ▶ Mediation
- ▶ Receiving a Decision

This document can be found on the homepage of the web site.

- The Selection of Appeals for a Written Process

This item discusses in greater detail the type of appeals eligible for a written hearing process. It also provides a link to the introductory section of the NEL Quantum Appeals casebook, a document prepared by the Tribunal's Office of the Vice-Chair Registrar to assist parties in preparing submissions. This document can also be found in the Resource Materials section of the web site.

DECISION NUMBER CITATION AND SEARCH

Since the Tribunal Web Site's Decision Summary Search Service was launched, there has been some confusion about how to cite tribunal decisions and how to search for these decisions using the web site search service. This article aims to clarify the difference between citing a decision and searching for a decision on the web site in order to dispel this confusion.

The name of a Tribunal case is the Decision Number. A Decision Number is composed of three elements: the Root Number, the Year Mark and, if appropriate, a Suffix.

The actual Decision Number has a slash between the Root Number and the Year Mark, and no spaces between the elements. **When citing Tribunal decisions, please use the actual Decision Number.** An example of an actual decision number is *Decision No. 123/03R*.

For technical reasons, the Decision Summary Search service displays the Decision Number with spaces between the various elements. Due to this, it becomes necessary, **when searching for a Tribunal decision in the Decision Number field, to enter the Decision Number with spaces between the root number, year mark and the suffix, if any.** For example, although the actual Decision Number is 123/03R, when searching, enter 123 03 R. **When searching for a Tribunal decision in the References field, use the actual number (slash and no spaces).**

Revised Publication Available

The Tribunal's Resource Department has produced an updated version of the brochure, *Appealing Workplace Insurance Decisions*. This leaflet provides a concise introduction to the Tribunal and its processes, including information on how to start an appeal. It is available in a bilingual, English and French format.

To order free copies, please contact Publications at (416) 314-8773.

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Tribunal Chair: Ian Strachan

Tribunal Director: Marsha Faubert

Publications Manager: David Beattie

Editor: Dawn Tam

Contributors: Susan Adams, David Beattie, Marvin Goldstein, Melinda Reyes, Ellen Schoffer, Dawn Tam

French Version: Cécile Raffael

Subscriptions: Mary Pavic

Workplace Safety and Insurance Appeals Tribunal
505 University Ave., 7th Floor
Toronto, Ontario
M5G 2P2

Telephone: (416) 314-8800

Fax: (416) 326-5164

Web Site: <http://www.wsiat.on.ca>

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