

## Tribunal Hearing Recordings and Transcripts

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### 1.0 This Practice Direction:

- explains who may record Tribunal hearings
- explains how to obtain and pay for a transcript of a Tribunal hearing
- explains how to obtain and pay for a recording of a Tribunal hearing.

### 2.0 Recording Tribunal Hearings

**2.1** Under the *Workplace Safety and Insurance Act*, there is no requirement for the Tribunal to record hearings.<sup>1</sup> The Tribunal usually makes audio recordings of its hearings. The Tribunal uses a court reporter to record hearings only in unusual circumstances. In right to sue cases, parties may arrange at their own expense for a court reporter to record the hearing.

**2.2** Parties are not permitted to record Tribunal hearings.

**2.3** Audio recordings of hearings are kept by the Tribunal for workplace safety and insurance purposes only.

**2.4** The Tribunal cannot guarantee the audio quality of copies of audio recordings, as they are re-recorded from recordings made at hearings.

### 3.0 Transcripts of Tribunal Hearings

**3.1** There is no requirement under the Act that the Tribunal provide transcripts of hearings. The Tribunal generally does not produce or use transcripts of its hearings.

**3.2** A transcript of a Tribunal hearing may be produced:

- upon written request from a party to the hearing or
- upon written request from others.

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<sup>1</sup> See sections 57 to 59 of the *Workplace Safety and Insurance Act*.

## 4.0 Requesting a Tribunal Audio Recording or Hearing Transcript

### Requests from a Party to the Hearing for Workplace Safety and Insurance Purposes

- 4.1** Parties to an appeal may request an audio recording or a transcript of their hearing by completing either a WSIAT Hearing – Audio Recording or Transcript Request form and sending it to the Tribunal. These forms may be obtained from the Tribunal’s website ([www.wsiat.on.ca](http://www.wsiat.on.ca)) or by request.
- 4.2** The requesting party must agree to use the audio recording or transcript for workplace safety and insurance purposes only and to keep it confidential.
- 4.3** The Tribunal usually approves audio recording and transcript requests from parties upon receipt of a completed Request form. In unusual circumstances, the Tribunal Vice-Chair or Panel that heard the appeal may issue specific directions about transcripts or recordings.

### Requests from Non-Parties or For Other Purposes

- 4.4** Requests for hearing transcripts and audio recordings from:
- a person who is not a party to the appeal (or the authorized representative) or
  - anyone wanting to use a transcript for other than workplace safety and insurance purposes must be made under the *Freedom of Information and Protection of Privacy Act*, unless otherwise required by law.

## 5.0 The Cost of Audio Recordings and Payment

- 5.1** Anyone requesting audio recordings must submit the completed WSIAT Hearing – Audio Recording Request Form and include a cheque or money order to cover the cost of the copy. (Please see the form for details).
- 5.2** Once the request is approved, Tribunal staff prepares the copy of the audio recording and sends it.

## 6.0 The Cost of Transcripts and Payment

- 6.1** Once the request is approved, the Tribunal will advise whether a transcript has already been prepared or if one would need to be created.
- 6.2** If a transcript has already been prepared, a copy will be sent free of charge. If more than one party requests a transcript, the Tribunal encourages the requesting parties to discuss sharing the cost.
- 6.3** When no transcript has been prepared of a **hearing audiotape**, Tribunal staff arrange for a transcript to be prepared and provide a cost estimate if requested. Tribunal staff do not prepare transcripts; a transcript service provider does this. The transcript is sent when the Tribunal receives payment.
- 6.4** When no transcript has been prepared of a **hearing recorded by a court reporter**, the Tribunal will tell the requesting party(ies) how to contact the court reporter. The court reporter will give a cost estimate and make delivery and payment arrangements.

Dated at Toronto, Ontario this first day of October, 2007  
 Workplace Safety and Insurance Appeals Tribunal  
 I.J. Strachan, Tribunal Chair