



## Consent to Participate in Alternative Dispute Resolution (ADR) – 1-Party Appeals

(Ce document est aussi disponible en français)

### Instructions

1. Sign and date this form if you agree to participate in the WSIAT's Alternative Dispute Resolution (ADR) process.
2. Review our [Practice Direction #7 – Alternative Dispute Resolution \(ADR\) – 1-Party Appeals](#) and [Frequently Asked Questions About the Alternative Dispute Resolution \(ADR\) Process \(1-Party Appeals\)](#).
3. Send us this form as soon as possible.

Call us if you have questions about this form. Our Call Centre is open Monday to Friday 8:30 a.m. to 5:00 p.m.

Call Centre	416-314-8800
Toll-free in Ontario	1-888-618-8846
TTY	Call 711 for Relay Services

### 1. Appeal Information

Case Name	
WSIAT #	

### 2. Agreement

1. I agree to try to resolve the issue(s) in this appeal through ADR.
2. I understand that if a resolution is reached, I will not need an oral hearing.
3. I understand that the Dispute Resolution Officer (DRO) acts impartially to facilitate a voluntary resolution on some or all of the issues on appeal. The DRO does not provide legal advice and has no authority to impose a resolution.
4. I acknowledge that participation in the ADR process is voluntary. I, or the DRO, may end the ADR process at any time. If ADR is terminated, the appeal will proceed to a hearing.
5. I understand that ADR discussions at the WSIAT are confidential. All admissions and other communications made during the ADR process are made “without prejudice” and only for the purposes of resolving the appeal. These communications do not form part of the record at the WSIAT. Given the confidentiality of the process, witnesses are not required for ADR.
6. Should the ADR process fail to produce a resolution, I understand that all documentary evidence disclosed during the ADR process, will be added to the case materials for the appeal and will be available to the Vice-Chair or Panel who ultimately adjudicates the appeal. For clarity, documentary evidence includes but is not limited to medical reports/records, and employment records that have been properly obtained. It does not include, chronologies,

## 2. Agreement (continued)

personal notes or summaries prepared by the parties to facilitate the ADR process (although you can, if you choose, submit your information to be included in the case materials).

7. I understand that, if a resolution of this appeal is reached, the DRO will prepare a Proposed Resolution (PR) incorporating the terms of the resolution for my signature. The signed PR will go to a Vice-Chair for approval. If the Vice-Chair approves the PR, they will issue a decision outlining the terms of the resolution with brief reasons supporting the resolution. The WSIAT will then send the decision to the parties and the WSIB.
8. I understand that if the Vice-Chair who receives the PR does not approve of the resolution, the appeal will then be scheduled for an oral hearing or a hearing in writing before a different Vice-Chair or Panel.
9. I acknowledge that the DRO cannot be called (is not compellable) as a witness in a WSIAT proceeding or in any other court or tribunal proceeding and that the DRO's notes or records are inadmissible in a WSIAT proceeding or in any other court or tribunal proceeding.

## 3. Certification

We have read and understand the information set out above and agree to participate in the ADR process.

**Appellant's Signature**

(If filing electronically, type your first and last names.)

**Date** (dd/mm/yyyy)

\_\_\_\_\_

\_\_\_\_\_

I am filing this form electronically. This represents my signature.

**Appellant Representative's Signature**

(If filing electronically, type your first and last names.)

**Date** (dd/mm/yyyy)

\_\_\_\_\_

\_\_\_\_\_

I am filing this form electronically. This represents my signature.

## 4. How to Send Us This Form

Fill out, sign, and send us a copy of this form by E-file or mail.

E-File            [www.wsiat.on.ca](http://www.wsiat.on.ca) under the E-File tab

Mail              Workplace Safety and Insurance Appeals Tribunal  
500 – 505 University Avenue  
Toronto ON M5G 2P2

**Accessibility**

The WSIAT is committed to providing an environment that is inclusive and accessible to all people. If you need an accommodation, please write to us with the details of your request.

**Collection, Use and Disclosure of Personal Information**

Information on this form is collected for the proceedings of the Workplace Safety and Insurance Appeals Tribunal (WSIAT). All information is collected in line with the *Workplace Safety and Insurance Act, 1997*. It will be included in the WSIAT file and shared with parties of record of the appeal. This information will only be used for workplace safety and insurance purposes. Questions about the collection of information should be directed to the Freedom of Information and Privacy Coordinator at the WSIAT by calling 416-314-8800 or 1-888-618-8846 (toll-free), or 711 for Relay Services (TTY).