



Workplace Safety and Insurance Appeals Tribunal AI Governance Framework

Revised February 18, 2025

Introduction

The Workplace Safety and Insurance Appeals Tribunal (WSIAT) is committed to the transparent, responsible and accountable use of artificial intelligence (AI). The WSIAT's AI Governance Framework ensures that AI is used in a way that protects people and data, preserves public trust, and responsibly assesses and manages risk.

The WSIAT is committed to abide by the Ministry of Public and Business Service Delivery and Procurement's (MPBSDP) [Responsible Use of Artificial Intelligence Directive](#) (AI Directive) and all applicable laws, regulations, policies, and directives, as they may be amended and/or adopted over time.

The WSIAT's Information Technology Advisory Committee (ITAC) provides input and feedback on the adoption and implementation of AI systems at the WSIAT. The WSIAT's ITAC Terms of Reference provides more information about the roles and responsibilities of ITAC members.

Purpose

The WSIAT's AI Governance Framework sets out the requirements for the transparent, responsible and accountable use of AI at the WSIAT.

Definitions

Adjudicative Decision Making: Adjudicative Decision Making refers to the process by which WSIAT Order in Council Appointees (OICs) make decisions in WSIAT appeals and such other matters as are conferred upon the tribunal pursuant to section 174 of the Workplace Safety and Insurance Act, 1997 (the WSIA).

Artificial Intelligence (AI) system: An AI system is a machine-based system that, for explicit or implicit objectives, makes inferences, from the input it receives, in order to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments. (Aligned with Organisation for Economic Co-operation and Development (OECD), 2024).

AI lifecycle: The AI lifecycle encompasses the following phases that are not necessarily sequential: planning and design; collecting and processing data; building and using the model; verifying and validating; deployment; and operating and monitoring (OECD, 2019).

AI use case: A purposeful application of an AI system to a project/initiative (whether it be policy, program or service) to achieve a specific outcome.

AI Vision

The WSIAT will undertake a purposeful and deliberate approach to integrating AI systems to help the WSIAT achieve its organizational vision, mission and values.

AI Mission

The WSIAT will introduce AI systems in a purposeful, transparent, responsible and accountable manner and in accordance with Human Rights obligations and the principles of natural justice.

AI systems will be used to enhance the effectiveness and efficiency of WSIAT operations and support the WSIAT in providing high quality, fair and timely adjudication of workplace safety and insurance matters in Ontario. The WSIAT will leverage AI systems to continue to deliver quality services to the individuals and groups we serve in a way that is efficient, accurate and reliable.

Guiding Principles and Ethics

Consistent with the MPBSDP [Responsible Use of Artificial Intelligence Directive](#) (AI Directive), the following six principles will inform the WSIAT's decision-making when considering the use of AI systems:

- 1. AI is used to benefit the people of Ontario:** The people interacting with the AI system, and those affected by its outcomes, are considered when exploring potential AI use. The unique and diverse needs of users of government programs and services that leverage AI, and those affected by the outcomes of AI use, are accounted for in the design, operation and interpretation of outcomes. The tremendous benefits that can be realized by use of AI must be shared with the people of Ontario, while also ensuring that direct and indirect risks to the people of Ontario are mitigated and balanced with the benefits.
- 2. AI use is justified and proportionate, and AI systems are reliable and valid:** AI is only used where it serves a well-defined purpose, and the scope of AI use is proportionate to the problem it is trying to solve. Use follows a problem-first, rather than technology-first, approach. Once deployed, the AI system is reliable and valid – i.e., it works as intended and expected throughout its lifecycle.
- 3. AI is used in a safe, secure, and privacy protecting way:** Data privacy and security are maintained in a way that protects personal and sensitive information and minimizes potential risks and negative impacts, as per Ontario privacy legislation and internal sensitivity policies. Any use or collection of personal or sensitive data is proportionate and reasonable, accounting for the potential benefit to the people of Ontario.

4. **AI use is human rights affirming and non-discriminatory:** AI is used in ways that respect and protect equity, human rights and fundamental freedoms and ensure fairness consistent with applicable legislation including the *Canadian Charter of Rights and Freedoms* and the *Ontario Human Rights Code*. Community-informed context, including an understanding of potential discriminatory outcomes and their mitigations, as well as inclusive design, are the foundations of determining if and how AI is used.
5. **AI use is transparent and meaningful explanations of decisions are made available:** Information is provided to the public and public servants about how AI is being used in a service or process, in a way that facilitates understanding of outcomes, consequences and benefits.
6. **AI use is accountable and responsible:** There is clear ongoing human oversight, accountability for, and maintenance of AI systems with a readily available process for the public and public servants to raise concerns about AI use.

In addition to these six principles, the WSIAT commits to:

- Ensuring that AI use cases are in alignment with the WSIAT's strategic goals and initiatives
- Conducting a Human Rights Impact Assessment when considering the use of an AI system
- Ensuring that AI systems are not used in a way to influence adjudicative decision-making in a manner that is inconsistent with the principles of natural justice and fairness or delegate adjudicative decision making
- Conducting periodic reviews to ensure that AI use cases do not negatively impact public confidence, adjudicative independence, or access to justice
- Keeping relevant groups and individuals informed about the WSIAT's use of AI systems, such as the WSIAT Advisory Group and other WSIAT Committees, as appropriate.

Risk Management

The WSIAT will engage in AI risk management when considering the use of AI systems. The WSIAT's AI risk management process will align with the Ontario Public Service (OPS) Risk Management Process. In order to manage risk, the WSIAT will:

1. State objective and establish context
 - a. Document the problem AI use is intended to solve
 - b. Determine whether AI use is justified

2. Identify risks
3. Assess risks
 - a. Determine the risk level of the AI use and inform potential risk-based proportional controls
4. Plan and take action
 - a. Identify and apply risk-based proportional controls
5. Report and monitor
 - a. Monitor and update risk assessment to ensure potential controls remain current and are re-applied as necessary

Disclosure of AI Use

When individuals or groups are interacting directly with a WSIAT service that leverages AI, the WSIAT will:

- Publicly disclose AI use as part of the process, service or program.
- Provide an accessible avenue for the public to seek information about the use of AI in a process, service or program. This does not create a new avenue for seeking review of decisions - existing legislative avenues to appeal a decision or outcome of a process, service or program continue to apply.

Amendments and Review

The WSIAT's AI Governance Framework will be reviewed annually, or more frequently as required to respond to changes to applicable acts, regulations, directives, policies, or guidelines.

Approved By:

Original signed _____
WSIAT Chair

February 18, 2025
Date