



Practice Direction #36

Delivery and Filing Documents

1.0 This Practice Direction applies to WSIAT appeals and applications only and explains

- how to deliver a document to a party or representative
- how to file a document with the WSIAT
- when delivery or filing will be deemed to have taken place

2.0 How to Deliver a Document to a Party or Representative

2.1 Documents must be delivered to a party or representative. This is also called “service” of a document.

2.2 A document may be delivered to a party or representative by

- mail – regular, courier, registered or certified to the last known business or home address
- secure email to a known email address
- fax to the last known fax number – this is acceptable only if the document is less than 15 pages (or longer with consent)
- personal delivery to the party or representative
- delivery to an adult person at the last known business or home address

2.3 If the service of a document is not practical, the WSIAT may notify a party or representative using public ads or by other means.

2.4 A document is considered delivered

- by mail, on the 5th day after it was mailed
- by courier, on the 2nd day after it was given to the courier
- by secure email when the sender receives the sent details (if the details indicate a time after 5:00 p.m., delivery occurred the next day)
- by fax when the sender gets a confirmation receipt (if the confirmation is after 5:00 p.m., delivery occurred the next day)
- personally when given to the party or representative or when left with an adult person at the last known address

2.5 A document is not considered delivered if the party or representative can prove to the WSIAT the document was received late due to

- absence
- accident
- illness
- other cause beyond the party's control

3.0 How to File a Document with the WSIAT

3.1 “Filing” means that the document was delivered to the WSIAT.

3.2 Documents may be filed

- a. by E-file on the WSIAT website (www.wsiat.on.ca)

b. by mail (regular, registered or certified) or courier to

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

c. in-person to the same address

3.3 Filing is considered delivered by

- a. E-File on the date the document is received by the WSIAT's server (if this is after 5:00 p.m., it will be considered delivered on the next day)
- b. courier, mail, or in-person on the date of the receipt stamped on the document by WSIAT staff

4.0 Proof of Service and Filing

4.1 If there is a dispute about service or filing, the WSIAT might need an affidavit or other evidence about the filing. Parties and representatives should keep supporting evidence. This could be

- E-File confirmation email
- courier receipt

5.0 Right to Sue Applications

5.1 For more information about delivery and filing in Right to Sue Applications, review Practice Direction #17 – Right to Sue Applications.

6.0 References and Resources

6.1 Legislative Authority

Workplace Safety and Insurance Act, 1997, section 131 (the WSIAT can determine its own practice and procedure)

6.2 Related Practice Directions

[#17 – Right to Sue Applications](#)

[#35 – Calculation of Time](#)

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