

I don't agree with a WSIB decision in a worker's claim. What should I do?

- If you don't understand the reasons for the decision, contact the front-line decision maker for an explanation of the issue(s) and what new information might change the decision.
- If you are still dissatisfied with the decision, you should complete and submit the Intent to Object Form along with any additional information you want us to consider.

Time Limits to Object

There are legislated time limits for submitting an objection (s.120). There is a 30 day time limit on decisions on return to work or labour market re-entry (now work reintegration) and 6 months for all other WSIB decisions. In order to meet the time limits, the WSIB must receive your Intent to Object Form by the time limit date given in the decision letter.

Note: DO NOT complete the Intent to Object Form if you disagree with a decision relating to your employer account. Please contact Employer Account Services at 416-344-1000 or 1-800-387-0750 for information on the objection process for employer account decisions.

1. Claim Identifiers

The claim number is your WSIB identifier, along with the worker's name. Please be sure to enter the correct claim number. An incorrect claim number will delay the Intent to Object Form reaching the claim file.

2. Objecting Party

Any of the workplace parties can object to a WSIB decision. Please mark the box that applies to you.

3. General Information

Please check the address on the decision letter to make sure it is correct and complete. If changes are required to your address and/or telephone number(s), please mark the "no" box and provide us with the correct information. If no changes are required, simply mark the "yes" box.

If changes are required, you must also contact Employer Account Services to update your employer account file record.

If you are a transfer-of-cost employer, or their authorized representative, please complete Section 3 with respect to the transfer-of-cost employer's address and contact information.

4. Representation

The WSIB does not require that you have a representative to submit the Intent to Object Form or to handle your objection but if you have a representative, the WSIB needs their current contact information and must have a **Direction of Authorization** for that representative in your claim file. The Direction of Authorization can be found on the WSIB website.

If you have fewer than 100 employees, the **Office of the Employer Adviser** (OEA) provides representation services at no cost. The OEA can be reached at 1-800-387-0774.

5. Intent to Object

A decision letter may contain a decision on more than one entitlement issue and you may disagree with the decision on one or more of the issues. You should indicate the issue(s) you are objecting to and clearly indicate the date of the decision letter which contains the decision on that issue.

If you disagree with decisions made in more than one claim for the same worker, you should submit an Intent to Object Form under each claim number in order to meet the objection time limits and identify the issue(s) in dispute in each claim.

6. New Information/Reconsideration

The WSIB has the authority under Section 121 of the *Workplace Safety and Insurance Act* to reconsider any decision "at any time if it considers it advisable to do so". A referral to the Appeals Services Division may not be necessary if we are able to reconsider and change the decision with new information you provide.

Contact accessibility@wsib.on.ca if you require this communication in an alternative format.

Ce document est disponible en français sous le titre : *Instructions aux employeurs : Formulaire intention de contester*, 2392B (05/23)

To ensure the WSIB receives your Intent to Object Form within the time limit, do not delay sending the Intent to Object Form because you are waiting for new information.

For this section, new information refers to new documents that were not previously sent to the WSIB (e.g., a copy of a recent third party medical assessment or an ergonomic assessment report).

Signature

The objecting party or their authorized representative should sign and date the form.

7. Reasons for the Objection (Optional)

Section 7 allows you to outline your reasons for objecting to the decision(s). Your explanation may bring out new information the front-line decision maker was not aware of and may result in a change in the decision. Please attach additional pages if necessary.

If you have submitted an Intent to Object Form in a different claim for this worker, please provide that claim number in this section (Section 7). When the issues in dispute are related, all claims will be reviewed if the decisions are reconsidered.

Submitting your Intent to Object Form

When you have completed the Intent to Object Form, submit to us on our website at wsib.ca/submit.

You can also fax it to us at 416-344-4684 or 1-888-313-7373.

What happens after the WSIB receives my Intent to Object Form?

When we receive your Intent to Object Form, we will consider any new information provided and advise you of the outcome of that review. If the decision remains unchanged, or you did not submit any new information, we will advise the worker of your objection and send a copy of the claim file to the worker. The worker has the right to object to the release of relevant health care information, and must notify the WSIB within 21 days if he/she objects.

We will send you a copy of relevant file documents along with an Appeal Readiness Form and additional information on how to proceed with your objection, when

- 21 days have elapsed and the worker did not submit an objection to the release of relevant health care information, or
- the worker's objection to the release of relevant health care information is resolved/decided. The worker's objection to the release of this information has to be addressed by the Workplace Safety and Insurance Appeal Tribunal (WSIAT). WSIAT is independent from the WSIB.

If you have previously received a copy of the claim file, you will only receive documents added to the file after the date of your last request.

After reviewing the claim file documents, if you are still not satisfied with the decision, you can proceed with your objection to the Appeals Services Division.