

GETTING HELP FROM THE OFFICE OF THE WORKER ADVISER

What Is the Office of the Worker Adviser (OWA)?

The Office of the Worker Adviser is an independent agency of the Ontario Ministry of Labour. We provide free services in workplace insurance matters (formerly called workers' compensation) to non-unionized injured workers and to the survivors of injured workers. The OWA is not part of the Workplace Safety and Insurance Board (WSIB).

How Can the OWA Help You?

If you are an injured worker, the OWA can:

- represent you in your appeal either at WSIB or at the Workplace Safety and Insurance Appeals Tribunal (WSIAT)
- advise you and provide written materials on common workplace insurance problems
- inform you about other places where you can find help
- educate workers and their representatives on workplace insurance

Is There a Charge for OWA Services?

No. The OWA helps you free of charge.

Who Can Get Help From the OWA?

The OWA helps all workers who are not members of a trade union. In accordance with the *Workplace Safety and Insurance Act, 1997*, the OWA cannot provide services to union members.

If you are a member of a union, OWA staff will:

- inform you about any time limits for action in your case
- refer you back to your union for help

Who Is a Member of a Union?

The OWA considers you to be a member of a union if you are a bargaining unit member in a unionized workplace and you were injured in that workplace.

The OWA will be able to help you and will usually **not** consider you to be a union member if:

- you were injured in a unionized workplace, but now work in a non-union workplace
- you retired, resigned, or otherwise left your job from a unionized workplace

- you were laid off or otherwise lost your job from a unionized workplace, (unless you were dismissed and want help enforcing the employer’s re-employment obligations)
- you are now working in a unionized workplace, but your claim is for an injury that occurred with another employer
- you are on a hiring hall list, but have not worked during the past 12 months
- you are the survivor of a unionized worker who died as a result of a workplace injury or disease

How Can You Get Help From the OWA?

To schedule an appointment with someone who specializes in providing advice over the phone, you may call our toll-free line at 1-800-435-8980 for service in English, or 1-800-661-6365 for service in French. You will automatically be connected to the OWA office nearest you if that office is available. You should have the following information ready when you call:

- your WSIB claim number or WSIAT appeal number
- the date of your accident
- the nature of your injury
- the name of your employer at the time of your injury
- the WSIB decision(s) or letter(s) which you are calling about

What If You Need More Help?

We may ask you to attend a meeting to discuss your problem if you require more help than we can provide over the phone. In some situations, OWA staff may be able to solve your problem with WSIB right away. If not, OWA staff will advise you about any time limits that you must meet in your case, as well as help you to meet these deadlines. When possible, we will also try to solve your problem through telephone contact or letters to WSIB.

When Will the OWA Represent You on Appeals?

The OWA may represent you on appeals at WSIB and up to the final level of appeal at WSIAT. Our ability to represent you depends on our resources and on the nature of your problem. Whether we represent you, or not, OWA staff will help you identify any time limits that you must observe in your case. We will also help you file a letter with WSIB or WSIAT in an effort to protect your appeal rights.

IMPORTANT INFORMATION

There are time limits for appealing WSIB decisions. If you wish to appeal a decision, contact a qualified representative as soon as possible. For more information on time limits, see OWA Fact Sheets “Appealing to WSIB” and “Appealing to WSIAT”.

This Fact Sheet contains general information only. It is not a legal document. To see what the law says, you should look at the Workplace Safety and Insurance Act and WSIB policies. If you require help and do not have a union to assist you, contact the Office of the Worker Adviser:

- Our toll free telephone number is 1-800-435-8980 (English) or 1-800-661-6365 (French)
- or visit our website at <http://www.owa.gov.on.ca>

Cette feuille-info est aussi disponible en français