

SUBMISSIONS

What Are Submissions?

Submissions are either oral (spoken) or written statements presented to the decision-maker for consideration. Your submissions are the arguments that support your case. Submissions are your chance to convince the decision-maker to give you the benefits that you believe you're entitled to, according to the *Workplace Safety and Insurance Act, 1997* and the Workplace Safety and Insurance Board (WSIB) policy. Your submissions should be logical, to the point, and easy to understand.

Structure of Submissions

Whether submissions are oral or written, it is a good idea to:

- Begin with an introduction where you clearly identify the issue(s) in your case.
- Outline the relevant facts in the order they occurred.
- Explain how your evidence proves the facts are as you say they are, rather than as the other party says they are.
- Explain in a reasonable way why the evidence of the other party is not relevant, not believable, or not as strong as all your evidence.
- Identify any relevant law and policy, and connect it to the facts in your case.
- Conclude with a brief summary of your case, including what outcome or benefits you are requesting.

Tips For Written Submissions

- Make sure your submissions are easy to read and the pages are numbered.
- Support statements of fact by quoting directly from relevant documents, and identify the relevant documents.
- Keep your submissions short. Say only as much as you need to get your message across clearly.
- Ask someone else to review your submissions to ensure they can follow your arguments and check for any mistakes.
- If you are including additional evidence with written submissions, make sure you indicate how this evidence is relevant.

- If your case has weaknesses, deal with them as best you can and try not to leave the decision-maker with any unanswered questions.
- If your case deals with medical issues, pay special attention to the medical reports. The medical reports will probably be the most important evidence to the decision-maker.

Tips For Oral Submissions

Before the hearing:

- Tab and highlight your documents so you can refer to them easily.
- Draft an outline of your submission.

At the hearing:

- Rely on the outline to refresh your memory so you can speak directly to the decision-maker instead of reading from your notes.
- Include references to the oral testimony that are particularly relevant and deal with any inconsistencies. It is acceptable to request a brief recess at the end of the oral evidence so that you can gather your thoughts before making your oral submissions.
- Speak at a moderate pace so the decision-maker can take notes of your arguments.
- Try to make eye contact with the decision-maker. Gauge which points you need to spend more time on and which points you can pass over quickly.
- By being thoroughly familiar with the facts and evidence, you will be prepared to answer any questions of the decision-maker.

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 24 and 25 called "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

