

**Operational
Policy**

Section

Access to Information - Employers

Subject

**Authorization of Employer Representatives for Employer
Accounts**

Policy

Employers may authorize representatives to act on their behalf and get access to the same confidential employer account information the WSIB provides to an employer. However, such representatives must be identified to the WSIB through proper authorization.

Representatives must not disclose, or allow to be disclosed, any account information released to them by the WSIB. Anyone who contravenes this requirement is guilty of an offence.

To learn what account information may be accessed, [refer to see](#) 21-01-01, Access to Employer Information.

To learn how an employer can authorize a representative to act on their behalf on a claim, and what claims information can be accessed, [refer to see](#) 21-02-01, Disclosure of Claim File Information - General; and 21-02-04, Disclosure of Claim File Information to Worker or Employer Representatives.

Purpose

The purpose of this policy is to set out how an employer authorizes a representative to act on their behalf for WSIB account purposes.

Guidelines

Definitions

The following terms and definitions apply for the purposes of this policy.

An **employer** -- is one who has carried on, or is still carrying on, a business activity under Schedule 1 or Schedule 2 of the [Workplace Safety and Insurance Act, 1997](#) (WSIA), covered either mandatorily or by application. Employers also include those who are deemed to be employers under optional insurance or compulsory coverage in the construction industry. -For additional information, [see refer to](#) 12-01-01, Who is an Employer?.

An **authorized officer** - is an individual within the employer's company who is in a position to commit the organization on a corporate level, or who would normally have access to, and control of, the information to be released (e.g., sole proprietors, partners, presidents, vice-presidents, general managers, chief financial officers, controllers, directors of finance, safety officers, or individuals in other positions in which access to confidential employer information is typical).

Employer information - means all information relating to a specific employer supplied to, collected, or created by the WSIB and contained in existing WSIB records, but does not include claim file information.

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Accounts****Employer representatives**

Employers can authorize a representative to act on their behalf and gain access to account information which is normally confidential to all but the WSIB and the employer.

Spouses and family members are not entitled to access, or to authorize the release of, confidential information unless the person in question is an authorized officer of the company or an authorized representative of the employer.

Employers remain legally responsible to meet all employer obligations to the WSIB, such as reporting and payment obligations, even if it is the employer's representative who is carrying out the process to fulfill the WSIB obligation.

Establishing authorization

The employer confirms who their authorized representative is by submitting a properly completed WSIB authorization form, signed and dated by an authorized officer of the company. The employer must indicate the account(s) for which the representative is authorized.

Types of employer representatives

When completing the WSIB authorization form, employers must indicate the type of representative they are selecting ~~(see below)~~. An employer may have both types of representatives, but a separate form must be completed for each.

Non-legal representatives

A non-legal representative can be a person, firm, or organization (e.g., accountant, bookkeeper). Upon authorization from the employer, non-legal representatives can access the WSIB account information that employers would normally be able to access (e.g., account status, premium notices, accident cost statements, WSIB decision letters). These representatives can also act on the employer's behalf in dealing with the WSIB (e.g., reporting premiums, obtaining clearances, balance/statement inquiries).

These representatives cannot act on behalf of the employer to appeal a WSIB decision. Only legal representatives are permitted to handle appeals.

Legal representatives

A legal representative is a person, firm or organization that has been licensed under the *Law Society Act*, or is exempt from the *Law Society Act* licensing requirements. Upon authorization from an employer, legal representatives can undertake all the activities of a non-legal representative as well as act on behalf of the employer in the appeal process. They may also interact with the WSIB on behalf of the employer with regard to other legal issues, such as the sale of a business or bankruptcy.

Legal representatives include, but are not limited to:

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- lawyers
- paralegals
- union or bargaining agent representatives
- representatives from the Office of the Worker Adviser or the Office of the Employer Adviser
- Constituency Assistants working in [Member of Provincial Parliament \(MPP\)](#) offices
- Aboriginal Court-~~W~~workers
- Injured Workers Outreach Services, and
- Ontario Federation of Labour staff and consultants representing union members in workers' compensation matters (under the Occupational Disability Response Team), including their work in representing families of deceased workers.

Verification of representative

For any request from a representative, the WSIB reserves the right to verify the information directly with the employer, including:

- the authenticity of the request
- the authorization of the representative, and
- the authority of the individual who signed the authorization.

Validity period

Representatives can only act on behalf of an employer as long as there is a valid authorization on file (exception for appeals noted [below in this policy](#)).

The employer's authorization of a representative is valid from the date the form is received by the WSIB until the expiry date, if any is noted on the form.

If no expiry date is indicated on the form, the authorization remains valid until the WSIB is notified otherwise by the employer. The employer (i.e., an authorized officer of the company) may cancel the authorization of a representative at any time by notifying the WSIB by phone or in writing.

An authorization may be changed by completing a new form and submitting it to the WSIB.

Appeals

Employers are asked to identify their authorized legal representative (if any) when they submit ~~an the O objection F form (Revenue)~~ to request an appeal. Only one legal representative may be authorized to handle the appeal of an issue regarding an employer's account(s). For [the form and](#) additional information, ~~refer to see the document called Appeal System – Principles and Procedures on the WSIB's website, www.~~ [wsib.ca](http://www.wsib.ca).

If an appeal continues beyond any expiry date set by the employer, the authorization is automatically extended until the WSIB makes a final decision on the appeal, or the appeal is withdrawn by the employer. Upon release of the final decision or withdrawal of the appeal,

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the authorization is automatically terminated if it has not been renewed. The employer can renew the authorization for a representative or authorize a new representative by submitting a new WSIB form.

Application date

This policy applies to all decisions made on or after ~~August 1, 2020~~ [December 5, 2024](#).

Document History

This document replaces 21-01-02 dated ~~March 3, 2008~~ [July 31, 2020](#).

This document was previously published as:

[21-01-02 dated March 3, 2008](#)

21-01-02 dated October 12, 2004

11-01-17 dated March 5, 2004.

References**Legislative Authority**

Workplace Safety and Insurance Act, 1997, ~~as amended~~

Sections 57(3), 150, 181

Minute Approval

Administrative

~~#1, July 22, 2020, page 576~~