



REQUEST FOR SUBMISSIONS – VIDEO HEARINGS

In light of the lifting of many pandemic-related restrictions by the Province, the Ontario Labour Relations Board is currently reviewing its operations, including the conduct of hearings and mediations.

At this time, the Board seeks the initial input of stakeholders with respect to the continued use of video hearings and mediations following the lifting of restrictions. In addition, the Board expects to schedule one or more Town Halls in late April to hear from stakeholders and the public on this issue.

BACKGROUND

The Board continued to operate during the pandemic by relying on its previously modernized services and forms, including electronic filing. It also created new forms and processes such as electronic payment of hearing fees and electronic summonses.

Significantly for the Board and its stakeholders and in response to the extraordinary circumstances of the pandemic, the Board quickly and successfully moved to conduct hearings and mediations electronically that is to say, by video, or by teleconference where appropriate.

Many of the changes made in response to the pandemic led to further improvements and modernization of the Board's services. As the Board reviews its operations, it is clear from the past two years that many of the improvements should remain in place even as restrictions are lifted. The current review therefore will look both at what should be changed as restrictions are lifted but also which previously revised operations should remain as it considers lessons learned from operating during the pandemic

REQUEST FOR SUBMISSIONS

The Board has identified a number of issues with respect to video hearings and mediations on which it welcomes stakeholder comments and suggestions. As well, stakeholders may of course raise and comment on other pandemic-related issues related to mediations and hearings which are not identified below.

Please email submissions to WebOLRB@ontario.ca by April 19, 2022.

1. MEDIATIONS:

- a) Should mediations continue by video?
- b) If the answer to a) is yes, should video mediation or in-person mediation be the default method?
- c) Should video mediations be the default for specific case types and/or hearing types. If so, which case types or hearing types?

2. HEARINGS:

- a) Should hearings continue by video?
- b) If the answer to a) is yes, should this be for all hearings or only for some and if for some, which case types or hearing types?
- c) Recognizing that the Board will still have the final authority to decide whether any given hearing will take place by video or in person,
 - i) if all parties in a given case agree on a particular hearing mode should that mode be followed? and
 - ii) if there is no agreement by the parties on a particular hearing mode, should video hearings or in-person hearings be the default?
- d) Should video hearings be the default for specific case types and/or hearing types. If so, which case or hearing types?

3. HEARINGS – PARTIES LOCATED MORE THAN 250 KM FROM TORONTO:

- a) Specifically for parties located more than 250 km from Toronto, should hearings continue by video?
- b) If the answer to a) is yes, should this be for all hearings or only for some and if for some, which case types or hearing types?

4. FILING OF DOCUMENTS:

- a) Should there be changes to the requirements for filing documents for in-person or video hearings. If yes, what are the suggested changes?