

Updated on May 28, 2020

FREQUENTLY ASKED QUESTIONS

CORONAVIRUS PANDEMIC (COVID-19)

General information

1- Has the TAT suspended its activities because of the pandemic?

Answer: All hearings and conciliation sessions scheduled to take place at our offices **from March 16 to June 5, 2020 inclusively** are cancelled, with the exception of urgent cases. We will gradually start to resume our in-person activities on June 15, 2020.

2- Is the TAT paralyzed as a result of the pandemic?

Answer: No. We have been developing and implementing new mechanisms in order to maintain our activities and help move certain ongoing cases forward, while complying with the rules inherent to the health emergency. Our support staff has been opening as many new records as possible and following up on cases from home. Our administrative judges are reviewing the adjourned cases in order to determine the suitability of a pre-hearing conference, written representations or a hearing by telephone or by remote videoconference. Our conciliators are able to work on all of their cases. If the demand is significant, recently cancelled cases will be prioritized.

3- Will the TAT let me know when access to my regional office is permitted, or is it my responsibility to check?

Answer: Access to our offices and the resumption of our regular activities will be announced on our website and our Twitter page.

4- I have an urgent hearing scheduled and must, therefore, go to a TAT office. Going to public places at this time worries me. Has the TAT taken special measures to avoid spreading the virus?

Answer: Our staff is working from home and our offices are closed to the public. Only the staff assigned to your urgent hearing will be present with strict instructions to comply with public health measures, such as frequent hand washing and the two-metre social distancing rule.

Hearings

5- From the message on your website, I understood that my hearing was cancelled. Will I receive an official confirmation from the Tribunal administratif du travail?

Answer: Yes. If your hearing or conciliation session is cancelled, we will inform all the parties to the case by telephone, email or regular mail.

6- If my hearing or conciliation session is cancelled because of the pandemic, will my case among the first to be rescheduled?

Answer: If your hearing cannot proceed through other means (by telephone or videoconference, for example), we will make every effort to schedule an in-person hearing for your case at the earliest possible date.

7- Will the issuance of my decision be delayed because of the pandemic?

Answer: If the administrative judge in charge of your case and the support staff are not affected by the virus, your decision should not be delayed. The administrative judges writing the decisions and the administrative staff responsible for sending them to the parties are all working from home.

8- I would like to have my hearing proceed on the record. Can I request it?

Answer: Where suitable, our regional offices will contact the parties to find out if they would like us to proceed on the record, particularly in matters of review and financing. As usual, the CNESST will receive a copy of the correspondence. If your case does not pertain to a review application or financing, you may submit your request to the regional office in charge of your case. You must, however, first obtain the other party's consent.

9- I am an employer and I have already notified the TAT of my decision to forego the hearing of my financing case. Is the hearing date on the roll maintained nonetheless?

Answer: Where an employer has already requested a hearing on the record, the financing cases that have already been entered on the roll will be taken under advisement on the scheduled date, unless you have received notice that your hearing has been rescheduled for a reason other than the COVID-19 pandemic.

Conciliation sessions

10- I just found out that my conciliation session is cancelled. Can it be held over the telephone?

Answer: Yes, a telephone session may be possible, provided the conciliator can access your record. Please call the conciliator in charge of your case if you are interested. You will find your conciliator's telephone number in the contact us page of our website (Nous joindre – available in French only).

11- I reached an amicable agreement with the assistance of your conciliation service and I will sign the documents once I receive them. Will the pandemic delay the process?

Answer: Provided the conciliator in charge of your case and our support staff are not affected by the virus, we do not foresee any delays in the transmission of documents. Conciliators and support staff have been working from home in order to finalize settlements.

Some people may, however, be unable to sign their documents at this time. Such situations would cause delays.

Case management

12- I would like to file a contestation in person, but your offices are closed. How should I proceed?

Answer: You can use our online services (Services en ligne – only available in French), or file your contestation by email or by fax. We suggest one of these means instead of regular mail, since our staff is currently working from home.

13- I cannot use your online services, so I will be submitting a few documents by mail. Will you receive them?

Answer: Yes, but we do not know how long it may take, since retrieving mail delivered by Canada Post is challenging at this time. That is why we strongly suggest you email or fax documents to us, or use our online services whenever possible.