

# PAY EQUITY HEARINGS TRIBUNAL

## Filing Guide



### A Guide to Preparing and Filing Forms and Submissions with the Pay Equity Hearings Tribunal

This Filing Guide provides general information only and should not be taken as legal advice or a substitute for the PEHT's Rules of Practice.

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## **I. INTRODUCTION**

### **A. Where to Find Forms, Information Bulletins and PEHT Rules of Procedure**

You may obtain copies of all PEHT forms, Information Bulletins and the Rules of Procedure on the PEHT's website <http://www.PEHT.gov.on.ca> in English and French or you may contact the PEHT directly by phone at 416-326-7500, toll-free 1-877-339-3335 or by mail at 505 University Avenue, 2nd Floor, Toronto, ON M5G 2P1.

The PEHT's forms are available in a variety of accessible formats. Contact the PEHT's Coordinator of Client Services if you require an alternative format or need some other form of accommodation.

### **B. Methods of Completing the Forms – By Hand or Electronically**

You may complete a form by hand or electronically and then file it with the PEHT in a number of ways, including e-filing. E-filing is not mandatory.

If you complete the form by hand, you cannot e-file the form. The form must be filed by a different method in accordance with the PEHT's Rules of Practice.

If you complete the form electronically on your computer:

- You may e-file the form, or
- You may print a copy of the electronically completed form and file it in accordance with the PEHT's Rules of Practice.

### **C. E-filing vs E-mailing**

Forms and submissions may be filed with the PEHT by a variety of methods including the Tribunal's e-filing system, but not by e-mail.

### **D. Encryption**

The PEHT e-filing system is not encrypted and as a result you may decide to file your form and any other documents by a different method permitted by the PEHT's Rules of Practice.

### **E. Electronic Submissions Form**

The Electronic Submissions Form allows parties to attach and e-file submissions, letters or other material electronically.

At this time, the Electronic Submission Form must NOT be used to file other PEHT forms such as an application/response or a Book of Documents/Authorities. Such forms or documents will not be processed if attached to the Submission Form.

## II. TECHNICAL REQUIREMENTS

### A. Minimum system requirements

The electronic forms are in PDF format. To use the PDF forms most effectively, your computer must meet the following minimum system requirements:

- You must have an internet connection and a valid email address in order to submit your form online.
- You will require an up-to-date version of Adobe Acrobat. If you choose to use Adobe Acrobat Reader, the latest version is available for free and can be downloaded from the following website: <http://www.adobe.com/products/acrobat/readstep.html>. You may choose to download a pdf reader in French if you are completing your form in French.
- Currently, the version of Adobe Acrobat used on mobile devices is **not** compatible with the PEHT E-filing system.

### B. Download the form

You **must** download and complete the PEHT forms using ONLY an up-to-date version of Adobe Acrobat. For instructions on how to download, see the section titled Save.

**Do not** complete the forms within your Internet browser as you may encounter some of the following issues:

- You may not be able to attach documents, print or submit the form.
- You will lose the information you completed if you leave the form and browse to other web pages in the same browser window.
- The 'back' or 'forward' buttons on your browser will close the form and delete all of your entered information.

If the form opens in your internet browser, save it, then close the form that is open in the browser and then reopen your saved form using Adobe software.

## III. OVERVIEW OF FORM FUNCTIONS

## **A. Print**

- **Printing a Blank Form**

To print a blank form use **only** the 'Print Blank Form' button located at the top right corner of the form.

The blank form will **not** print in its entirety if you print from any of the following:

- Adobe File > Print option
- Ctrl +P
- Print icon in Adobe
- Other 'Print' buttons located within the form

- **Printing a Partially Completed or Fully Completed Form**

The 'Print' button located at the bottom of the 'File with the Tribunal' page prints the entire form, which you may file with the PEHT or keep for your records.

## **B. Save**

The forms are dynamic and updated on a regular basis. You should download the form directly from the PEHT website each time to ensure that you are using the most current version.

You can save a blank or partially completed form or a fully completed form at any time. You should save and/or print the completed form before e-filing or filing it with the PEHT as the PEHT will not return the form to you.

- **Save Form from the PEHT Website without Viewing It**

To save the form from the PEHT website without viewing it: right-click on the hyperlinked form title, select 'Save As' and then save the blank form to your computer.

- **Save Form after Viewing**

PEHT forms are savable and can be saved at any time.

You can save the blank form after viewing it or a partially completed form or a fully completed form by using one of the following 3 methods:

- Click on any 'Save' button within the form;
- Click on the small disk icon that appears in Adobe Acrobat software;
- Go to File >Save As

## **C. Clear Form**

when completing a form electronically on your computer, you may clear the data entered in the form by clicking on the 'Clear Form' button located at the top right corner of each form.

The Clear Form button will reset the entire form **including all attached documents**, which will also be deleted from the form.

#### **D. Attach Documents**

There is an Attached Documents section the PEHT's Application and Response forms which can be used both for forms completed by hand or completed electronically.

- **Attached Documents for forms completed by hand**

You may use the Attached Documents section to list the documents you are attaching to your form.

You may need to attach additional sheets of paper to answer certain questions if you have not had enough space to answer them in the form. Remember to include the question number your answer relates to at the top of each document.

- **Attached Documents for forms completed electronically**

Follow the steps below:

- Go to the 'Attached Documents' section in the form.
- Select the checkbox 'Attach documents electronically'.
- Click 'Add File' button and select the document that needs to be added. The file name of the document and size will get updated in the attachments table.
- Add a brief description for the attached document so that it is easily identifiable.
- Repeat for each document you want to attach.

The file name must contain ONLY letters 'A-Z' or 'a-z', numbers '0-9', underscore '\_' or dash '-'. If other characters are used, the form and attachment(s) will not be successfully submitted.

If you choose to file the form in a manner other than e-filing then print the completed form and attach the physical copies of each listed document to the form.

- **Deleting Attached Documents from forms completed electronically**

Delete any attached documents using the following steps:

- Select the checkbox beside each of the documents you want to delete.
- Click 'Delete File(s)' button.
- A warning message will be displayed.
- Select 'OK' in the warning message.

All the selected documents will be deleted from the form electronically.

- **Opening the Attached Document from the Form**

Open the attached documents using the following steps:

- Select the checkbox beside the document that you want to open.
- Click 'Open File(s)' button.

All the selected documents will be opened on your computer.

- **Permitted Formats for Electronically Attached Documents**

Below is the list of permitted formats for Attached Documents:

- Word/Text/PDF documents: .doc, .docx, .txt, .pdf, .rtf, .odt, .xps, .pptx, .ppt, .msg
- Structured Documents: .htm, .html
- Images: .jpg, .jpeg, .bmp, .png, .tif, .tiff, .gif,
- Spreadsheets: .xls, .xlsx, .csv, .ods,

If you get an error message when you are attempting to attach electronically, then the document you are trying to attach may still be open. Close the document and then attach.

- **Permitted Size and Number of Electronically Attached Documents**

The maximum size limit on the documents that can be attached and e-filed is 7MB. The size of your attachments is calculated directly on the form so you will know when you are approaching the maximum size permitted.

There is no limit on the number of the documents that can be attached to a form.

- **Other Attachment Instructions**

- Each document must be properly named so that it may be easily identifiable by the PEHT.
- Attached documents must **not** be password protected.



- Any documents attached to the form will not be printed by the 'Print' buttons. Attached documents should be opened and printed separately.

#### **IV. COMPLETING THE CONTACT INFORMATION IN THE FORM**

The PEHT requires full contact information for all parties and affected parties and any Representatives/contact persons in a proceeding.

If your contact information changes, you must provide the PEHT and the other parties with updated contact information, including email, as soon as possible. If you fail to do so, correspondence sent your last known address (including email) may be deemed to be reasonable notice to you and the case may proceed in your absence.

##### **A. Adding or deleting parties or Representatives/contact persons**

If there are multiple applicants, responding parties, affected parties or additional representatives/contact persons, you are required to provide complete contact information for each party.

**If you are completing the form by hand:** You may attach a separate sheet of paper with the contact information for all additional parties.

**If you are completing the form electronically:** Click the 'Add' button in this section and complete all the contact information for each party within the form.

##### **B. Contact Information for Legal Representative/Contact Person**

You may choose to be represented by a lawyer or paralegal, or be contacted by the PEHT through a contact person.

By providing the contact information for a legal representative or contact person, you are consenting to the PEHT and the other parties sending documents to that individual and corresponding with that individual about the file. If your chosen representative is not a member of the Law Society of Upper Canada or does not fall within an exception pursuant to the Law Society Act or the by-laws of the Law Society of Upper Canada, the PEHT may not permit that person to represent you.

A legal representative or contact person may act as the contact person for more than one party. In the box where you provide their contact information, indicate for which parties the legal representative or contact person is acting as the contact person.

##### **C. Multiple Contacts from the same organization**

In instances where there are multiple individuals from the same organization (for example, multiple union representatives or multiple lawyers at the same law firm), you are not required to complete a new contact section for each individual. You can simply add their name, email address and phone number in the 'Additional Contact Information' box of the first listed individual.

#### **V. DELIVERING YOUR FORM TO THE OTHER PARTIES AND CERTIFYING THAT YOU HAVE DONE SO**

Deliver the form together with all supporting documents to each of the other named parties/affected parties by a method permitted by the PEHT's Rules of Practice.

For each party, to whom the form and documents have been delivered, complete the Certificate of Delivery Form (Form 3) with **all** information on how, where and when the form and documents were delivered. Use the 'Add' button to add an additional box to the Certificate of Delivery Form, as required.

Ensure you save or print your completed form for your records. If you choose to print, use only the 'Print' button located on the 'File with the Tribunal' page.

#### **VI. COMPLETING 'FILE WITH THE TRIBUNAL' PAGE - E-FILING**

You have now completed your form electronically, delivered your form and documents to all the named and affected parties in the proceeding and you have decided to e-file.

You should save or print a copy of your completed form at this stage, as the PEHT will not send you a copy of what you e-file.

It is mandatory to have an email address in order to e-file your form with the PEHT. Refer to 'Technical Requirements' section above.

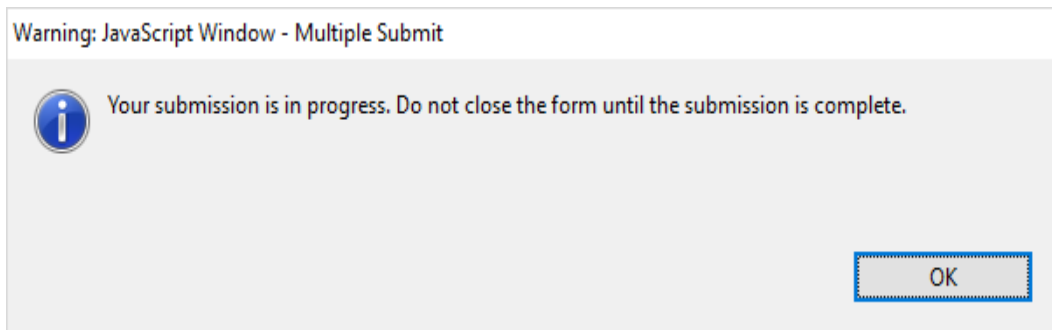
Type in your full name and email address and click 'Submit'.

Submit the form only once. If the PEHT receives your form more than once, PEHT will accept only the first form received

##### **A. What Happens When I Click the 'Submit' Button?**

Once you click the 'Submit' button, you will get a final reminder message to print or save your form.

After proceeding you will get the following message:



**Do not close your form at this point or your submission will be interrupted. Wait until you get a confirmation that the submission is successful.**

After submitting the form, a confirmation message will be displayed on your computer screen and this confirmation message will be the indication of your successful submission.

Following this, an email will be sent to the email address provided by you in the 'File with the Tribunal page, confirming that the PEHT has received your submission. This email will contain a confirmation number.

If you do not receive an email confirmation within one hour, please contact the PEHT during business hours.

The confirmation number in the confirmation email is not a Confirmation of Filing from the PEHT. This Confirmation of Filing will be sent to you from the PEHT with an PEHT File No.

## **B. Technical Support**

If you are experiencing technical difficulties, it could be as a result of one of the following:

- You are not connected to the internet. Check your internet connection.
- You have not opened the form using Adobe Acrobat and the document might be opened in your browser instead. Save the form and open with Adobe Acrobat.
- You are not using an up-to-date Adobe Acrobat. Download the latest Adobe Acrobat Reader from the following website: <http://www.adobe.com/products/acrobat/readstep.html>.

If you can open the form and complete it electronically but are unable to submit it, then print your completed form and file it in a method permitted by the PEHT and report the issue to PEHT.

If you cannot print a blank form for any reason, you may contact the PEHT by phone (416-326-7500), toll-free 1-877-339-3335 or by mail (505 University Avenue, 2nd Floor, Toronto, ON M5G 2P1) and the PEHT will send you the requested form.

## VII. FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY

Personal information is collected on the PEHT forms under the authority of the PEHT's governing legislation to assist in the processing of cases before it. Information received in written or oral submissions may be used and disclosed for the proper administration of the PEHT's legislation and processes. Any relevant information that you provide to the PEHT must in the normal course be provided to the other parties in the proceeding. The *Freedom of Information and Protection of Privacy Act* may also address the collection, use and disclosure of personal information. If you have any questions, contact the Solicitors' Office at 416-326-7500 or toll-free at 1-877-339-3335 or in writing to the PEHT, 505 University Ave., 2<sup>nd</sup> floor, Toronto ON M5G 2P1.