

EMPLOYMENT STANDARDS TRIBUNAL

PRACTICE DIRECTIVE 2026-019 USUAL TIME PERIOD TO ISSUE A FINAL DECISION

[2026-07-01]

PART 1 - GENERAL

1. AUTHORITY

- 1.1. This Practice Directive is made under section 12(1)(b) of the **Administrative Tribunals Act** as incorporated by section 103 of the Employment Standards Act (**ESA**) and section 64 of the Temporary Foreign Worker Protection Act (**TFWPA**).

2. PURPOSE

- 2.1. This Practice Directive sets out the Tribunal's usual time periods for issuing final decisions and written reasons after a proceeding is completed under the ESA and/or the TFWPA.

PART 2 – USUAL TIME PERIOD FOR ISSUING A FINAL DECISION

3. USUAL TIME PERIOD FOR ISSUING A FINAL DECISION

- 3.1. The Tribunal's usual time period for issuing a final decision is within 60 business days after submissions have closed.
- 3.2. For clarity, there is a distinction between (a) the time it takes the Panel Member to decide the appeal or application for reconsideration and provide Tribunal staff with a draft final decision and reasons, and (b) the time it takes Tribunal staff to complete administrative processing and issue (publish) the final decision. The time periods in section 3.1 refer to the Tribunal's usual time to issue (publish) the final decision and reasons, which includes both steps.

PART 3 – APPLICATION OF TIME PERIODS

4. NATURE OF THE TIME PERIODS

- 4.1. The time periods set out in this Practice Directive are general guidelines only and do not create enforceable rights or invalidate any step taken or decision made outside these timeframes.
- 4.2. The Tribunal may require additional time to issue (publish) a decision having regard to the complexity of the matter, the volume of materials, or other circumstances affecting the orderly administration of Tribunal proceedings.

PART 4 – EFFECTIVE DATE, APPLICATION, AND REPEAL

5. EFFECTIVE DATE AND TRANSITIONAL APPLICATION

- 5.1. This Practice Directive applies to proceedings before the Tribunal on or after July 1, 2026, unless the Tribunal orders otherwise.

6. REPEAL

- 6.1. The Practice Directive dated July 8, 2024, respecting the time period for completing a final decision is repealed as of the effective date of this Practice Directive.