

Here are **your realistic choices**, in plain English, **when former employer(s) will not complete the OCF-2**. I'll tie each option to what the law and your insurer's own letters say.

First: an important grounding point (from your documents)

Your insurer has already confirmed **in writing** that:

- OCF-2 is requested under **Section 33**
- Benefits can be suspended if information is missing
- **Suspended benefits must be reinstated and paid retroactively** if you later comply **or provide a reasonable explanation for the delay** (this is straight from **Section 33(8)**)

This means the system already **anticipates situations like uncooperative employers**.

Your actual options (ranked from strongest to weakest)

Option 1 — Proceed with AABS (LAT), citing employer non-cooperation

This is the strongest and most protective option.

You file an **AABS application** disputing the Section 33 suspension and state clearly:

- You requested OCF-2 multiple times
- Employer(s) did not respond or refused
- You provided all alternative income proof (ROE, pay stubs, NOAs)
- The delay is **outside your control**

LAT then decides whether the insurer acted reasonably under Section 33 and whether **Section 33(8)** applies (retroactive payment).

This is exactly what the insurer's "Right to Dispute" notice tells you to do .

Outcome:

- Possible reinstatement of IRB
 - Possible back pay for suspended period
 - Or an order telling the insurer to decide entitlement using alternative documents
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✔ **Option 2 — Ask the insurer to proceed using substitute evidence**

You (or your lawyer) formally ask the insurer to assess IRB **without OCF-2**, using:

- ROE
- Pay stubs (pre- and post-accident)
- CRA Notices of Assessment
- Employment records already on file

This sometimes works, especially once LAT/AABS is mentioned.

Risk:

The insurer may still refuse and say “OCF-2 is outstanding,” which pushes you back to Option 1 anyway.

⚠ **Option 3 — Continue chasing the employer**

You can:

- Send more emails
- Call
- Show up in person
- Ask HR / payroll / management

But legally:

You are **not required to succeed**, only to show **reasonable effort**. LAT does not expect you to force compliance.

Risk:

Time passes, benefits stay suspended, and nothing changes.

✗ Option 4 — Wait and do nothing

This is the **worst option**.

- Suspension remains in place
- Insurer later argues continued non-compliance
- You risk losing leverage and credibility

Your insurer explicitly warns that delay does **not** extend deadlines .

What you are NOT required to do

- You are **not** required to fill out OCF-2 yourself
- You are **not** required to force an employer
- You are **not** required to accept permanent loss of IRB

The law places the risk of third-party non-cooperation **on the insurer**, not on you, once reasonable effort is shown (Section 33(8)) .

Bottom line (clear and honest)

If your former employer(s) simply will not fill out OCF-2:

Your best and intended remedy is AABS (LAT), relying on Section 33(8) and your documented efforts.

Everything in your file already points in that direction.

If you want, next I can:

- Help you **decide whether to file AABS now or after one last notice**
- Help you **structure the AABS explanation** so it directly matches Section 33(8)
- Or help you **plan what to say to your lawyer vs. insurer next**

Just tell me which one you want.