

Citation: *B. D. v. Canada Employment Insurance Commission*, 2014 SSTAD 231

Appeal No.: AD-13-123

BETWEEN:

B. D.

Applicant

and

Canada Employment Insurance Commission

Respondent

SOCIAL SECURITY TRIBUNAL DECISION
Appeal Division – Leave to Appeal

SOCIAL SECURITY TRIBUNAL MEMBER: Mark BORER

DATE OF DECISION: September 18, 2014

DECISION: Leave to appeal refused

DECISION

[1] On March 7, 2013, a panel of the board of referees (“the Board”) determined that the appeal of the Applicant from the previous determination of the Commission should be denied. The Applicant filed an application requesting leave to appeal to the Appeal Division on June 14, 2013.

[2] The Applicant’s application was filed outside of the current 30 day time limit. However, the Applicant attempted to file his application at a Service Canada centre within the 30-day limit, and was only told that this was no longer the correct procedure after the appeal period had passed. In light of this, it is my view that it would be contrary to the interests of justice to disallow the application for lateness and I therefore allow further time within which this application can be made.

[3] I have read and carefully considered the application of the Applicant. Although he references the “principle of natural justice” and notes that he has “worked long time then why I will not get EI [sic]”, he has articulated no specific error or ground of appeal that could cause me to overturn the decision of the Board. I therefore turned my mind to the docket to determine if any ground of appeal existed on the face of the record.

[4] Having considered the appeal docket, the written submissions, and the decision of the Board, I find no ground of appeal that would have a reasonable chance of success. In my view, as evidenced by the decision, the Board conducted a proper hearing, weighed the evidence, made findings of fact, established the correct law, and applied the facts to the law.

[5] As it has no reasonable chance of success, this application for leave to appeal must be refused.

Mark Borer

Member, Appeal Division