

Citation: *J. P. v. Canada Employment Insurance Commission*, 2014 SSTAD 241

Appeal No. AD-13-153

BETWEEN:

J. P.

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 22, 2014

DECISION: Leave to appeal refused

DECISION

[1] On June 14, 2013, a member of the General Division of the Social Security Tribunal 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 August 8, 2013.

[2] The Applicant's application was filed outside of the 30-day time limit. The Applicant stated that the decision was only communicated to him on June 26, 2013. He explains that he did not file on time because he was "waiting on receiving the form [sic]" and had been told by "a lady on the phone" that because he did not have a printer, he should not worry about his appeal being late. Although this is not a very good explanation for the delay, the delay is a very short one and in light of the disposition below there would be no prejudice to the Commission if an extension of time to file this application was granted. 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 states that he would like the opportunity to explain things in person and submits that some issues were misunderstood by the General Division, he has not articulated any specific error or ground of appeal that could cause me to overturn the decision of the General Division. I therefore turned my mind to the docket to determine if any ground of appeal exists on the face of the record.

[4] Having considered the appeal docket, the written submissions, and the decision of the General Division, I find no ground of appeal that would have a reasonable chance of success. In my view, as evidenced by the decision, the General Division 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