

Citation: *P. C. v. Canada Employment Insurance Commission*, 2014 SSTAD 278

Appeal No. AD-13-130

BETWEEN:

**P. C.**

Applicant

and

**Canada Employment Insurance Commission**

Respondent

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**SOCIAL SECURITY TRIBUNAL DECISION**  
**Appeal Division – Leave to Appeal**

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SOCIAL SECURITY TRIBUNAL MEMBER: Mark BORER

DATE OF DECISION: October 2, 2014

DECISION: Leave to appeal refused

## **DECISION**

[1] On July 16, 2013, a member of the board of referees (“the Board”) determined that the appeal of the Applicant from the previous determination of the Commission should be denied. In due course, the Applicant filed an application requesting leave to appeal to the Appeal Division.

[2] I have read and carefully considered the application of the Applicant. In his application, he admits telling a Commission agent that he was sick but states that he only did so because he thought the agent was calling regarding his disability pension. He further states that although he was ill, he was still available for work and thus should receive employment insurance benefits in addition to his disability pension.

[3] I note that the Applicant appears to be saying that although he was entitled to his disability pension because he was too ill to work, he was also entitled to employment insurance benefits because he was not too ill to work.

[4] This apparent contradiction aside, in my view the Applicant has not articulated any 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 exists on the face of the record.

[5] 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.

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

*Mark Borer*

Member, Appeal Division