

[TRANSLATION]

Citation: *C. T. v. Canada Employment Insurance Commission*, 2015 SSTGDEI 30

Appeal #: GE-15-374

BETWEEN:

**C. T.**

Appellant

and

**Canada Employment Insurance Commission**

Respondent

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**SOCIAL SECURITY TRIBUNAL DECISION**  
**General Division – Employment Insurance**  
**Late Appeal (more than one year)**

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SOCIAL SECURITY TRIBUNAL MEMBER: Aline Rouleau

DATE OF DECISION: February 16, 2015

## **DECISION**

[1] The appeal before the General Division of the Social Security Tribunal (the Tribunal) was not filed within the prescribed period.

### **[2] INTRODUCTION**

[3] The Respondent denied the Appellant's initial claim for benefits. On October 18, 2013, it also denied her Request for Reconsideration. On January 22, 2015, the Appellant appealed from that decision to the Tribunal.

### **[4] ISSUE**

[5] The Tribunal must decide whether the appeal was filed within the prescribed period.

## **APPLICABLE LAW**

[6] Under subsection 52(2) of the *Department of Employment and Social Development Act*, the General Division may allow further time within which an appeal may be brought, but in no case may an appeal be brought more than one year after the day on which the decision is communicated to the appellant.

## **SUBMISSIONS AND EVIDENCE FROM THE APPELLANT**

[7] In her appeal to the Tribunal on January 22, 2015 (GD2-1 to GD2-6), the Appellant indicated that the Commission's reconsideration decision was communicated to her on October 18, 2013.

## **ANALYSIS**

[8] The Tribunal notes that the Respondent's reconsideration decision was communicated to the Appellant on October 18, 2013.

[9] The Tribunal notes that the Appellant appealed to the Tribunal's General Division more than one year after the decision was communicated to her. The Tribunal must apply subsection 52(2) of the *Department of Employment and Social Development Act*, which

clearly states that the General Division may allow further time within which an appeal may be brought, but in no case may an appeal be brought more than one year after the day on which the decision is communicated to the appellant.

## **CONCLUSION**

[10] The appeal before the Tribunal's General Division was not brought within the prescribed period and will therefore not be heard.

A handwritten signature in black ink, appearing to read "Alvin L. ...", written in a cursive style.

Member, General Division