



Social Security
Tribunal of Canada

Tribunal de la sécurité
sociale du Canada

Citation: *J. B. v. Canada Employment Insurance Commission*, 2016 SSTADEI 563

Tribunal File Number: AD-15-254

BETWEEN:

J. B.

Appellant

and

Canada Employment Insurance Commission

Respondent

SOCIAL SECURITY TRIBUNAL DECISION
Appeal Division

DECISION BY: Mark Borer

HEARD ON: November 28, 2016

DATE OF DECISION: November 30, 2016

DECISION

[1] By agreement, the appeal is allowed.

INTRODUCTION

[2] Previously, a General Division member determined that the Appellant's appeal on the issue of availability should be dismissed. The Appellant appealed that decision to the Appeal Division, and in due course leave to appeal was granted.

[3] A teleconference hearing was held. Both the Appellant and the Commission attended and made submissions.

ANALYSIS

[4] At the hearing before me the Commission conceded that they erred in the manner in which they processed this claim. They proposed that the appeal be resolved in the Appellant's favour, which would result in the complete elimination of the remaining overpayment as well as the return of certain moneys previously collected.

[5] After due consideration, the Appellant accepted this proposed agreement.

[6] To ensure that there was no misunderstanding, I verified that the Commission and the Appellant were truly in agreement as to the proposed resolution of this appeal.

[7] Having considered the law and the interests of justice, I am prepared to give effect to this agreement.

CONCLUSION

[8] By agreement, the appeal is allowed.

Mark Borer

Member, Appeal Division