



Social Security
Tribunal of Canada

Tribunal de la sécurité
sociale du Canada

Citation: *Z. P. v. Canada Employment Insurance Commission*, 2017 SSTADEI 225

Tribunal File Number: AD-15-1090

BETWEEN:

Z. P.

Appellant

and

Canada Employment Insurance Commission

Respondent

SOCIAL SECURITY TRIBUNAL DECISION
Appeal Division

DECISION BY: Mark Borer

HEARD ON: June 6, 2017

DATE OF DECISION: June 7, 2017

DECISION

[1] By agreement, the appeal is allowed. The matter is returned to the General Division for reconsideration.

INTRODUCTION

[2] Previously, a General Division member determined that the Appellant's appeal should be dismissed as abandoned. The Appellant appealed that decision to the Appeal Division.

[3] A teleconference hearing was held. The Commission attended and made submissions, as did the Appellant and his counsel.

ANALYSIS

[4] At the hearing before me, it became apparent that counsel for the Appellant was not in possession of a copy of the General Division record. In the interests of justice, I therefore offered an adjournment so that the record could be sent to him.

[5] The Commission, having heard the partial submissions of the Appellant and noting the natural justice aspects of the Appellant's appeal, suggested that a better way to move forward would be for me to grant a new hearing before the General Division so that the Appellant's natural justice rights could be fully protected.

[6] After due consideration, the Appellant accepted this proposed resolution to this appeal.

[7] To ensure that there was no misunderstanding, I verified orally that the Commission and the Appellant were truly in agreement that a new General Division hearing should be held.

[8] Because of this agreement, I am prepared to give effect to the shared view of the parties that a new hearing is warranted.

CONCLUSION

[9] By agreement, the appeal is allowed. The case will be returned to the General Division for reconsideration.

Mark Borer

Member, Appeal Division