



Social Security
Tribunal of Canada

Tribunal de la sécurité
sociale du Canada

Citation: *Canada Employment Insurance Commission v CV*, 2021 SST 99

Tribunal File Number: AD-21-57

BETWEEN:

Canada Employment Insurance Commission

Appellant (Commission)

and

C. V.

Respondent (Claimant)

SOCIAL SECURITY TRIBUNAL DECISION
Appeal Division

Leave to Appeal and Appeal Decision by: Jude Samson

Date of Decision: March 16, 2021

DECISION AND REASONS

DECISION

[1] Based on an agreement between the parties, I am giving the Commission permission (leave) to appeal and allowing its appeal. The Claimant, C. V.'s, benefit period ends on May 8, 2021.

OVERVIEW

[2] The Claimant became sick and had to stop working in late January 2020. As a result, she applied for Employment Insurance (EI) sickness benefits. When her sickness benefits ended, she received the Canada Emergency Response Benefit.

[3] In September, the Claimant gave birth to a baby. So, she applied for EI maternity benefits and parental benefits. However, the Commission decided that the Claimant only qualified for 17 weeks of parental benefits because her benefit period ends on May 8, 2021.

[4] The Claimant appealed the Commission's decision to the Tribunal's General Division. It extended her benefit period by one week: to May 15, 2021. The General Division got to that conclusion by finding that the Claimant had not received benefits during the week of February 23, 2020.¹

AGREEMENT

[5] I invited the parties to a case conference for an informal discussion about the appeal. During the case conference, the parties agreed that I should:

- a) find that the General Division based its decision on an important error of fact when it concluded that the Claimant had not received benefits during the week of February 23, 2020;
- b) give the Commission permission to appeal and allow its appeal;

¹ The Claimant's former employer paid her some vacation pay and pay in lieu of notice during this week. See paragraph 22 of the General Division decision.

- c) give the decision that the General Division should have given; and
- d) find that the Claimant did receive benefits during the week of February 23, 2020, meaning that her benefit period ends on May 8, 2021.

CONCLUSION

[6] Based on the information available to me, I am giving the Commission permission to appeal. I am also allowing its appeal in line with the agreement reached by the parties at the March 16, 2021, case conference.

Jude Samson
Member, Appeal Division

REPRESENTATIVES:	I. Thiffault, for the Appellant C. V., self-represented
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