



Citation : *GG v Canada Employment Insurance Commission*, 2021 SST 272

**Social Security Tribunal of Canada
General Division – Employment Insurance Section**

Decision

Appellant: G. G.

Respondent: Canada Employment Insurance Commission
Representative: Samaneh Frouchi

Decision under appeal: Canada Employment Insurance Commission
reconsideration decision dated January 15, 2020 (issued
by Service Canada)

Tribunal member: Charlotte McQuade

Type of hearing: N/A
Decision date: May 27, 2021
File number: GE-21-138

Decision

[1] The appeal is dismissed. The supplementary information provided by the Claimant on May 17, 2021¹ does not change the Tribunal's decision of May 12, 2021 dismissing the Claimant's Charter claim. As both the Claimant's appeal concerning his availability for work and his Charter claim have been dismissed, the Claimant's file is to be closed.

Procedural Overview

Availability Issue

[2] The General Division of the Tribunal had dismissed the Claimant's appeal on March 4, 2020 for reason that the Claimant did not prove that he was capable of and available for work and unable to obtain suitable employment as required by paragraph 18(1) (a) of the *Employment Insurance Act* (EI Act). The Claimant appealed that decision to the Appeal Division of the Tribunal, arguing his Charter claim had not been considered. On May 20, 2020, the Appeal Division confirmed the General Decision's decision of March 4, 2020 that the Claimant had not proven his availability for work, and returned only the Claimant's Charter claim to the General Division to be considered.

Charter Issue

[3] The Claimant's Charter claim was dismissed by the Tribunal's General Division on September 8, 2020 for reason the notice the Claimant was required to file pursuant to paragraph 20(1)(a) of the *Social Security Tribunal Regulations* (SST Regulations) to pursue a Charter claim was not sufficient. The Claimant appealed the dismissal of the Charter claim to the Appeal Division. The Appeal Division made a decision on January 22, 2021 that the Claimant's notice did meet the requirements of paragraph 20(1)(a) of the SST Regulations and returned the Charter issue to the General Division for reconsideration. By Interlocutory Decision dated May 12, 2021, I dismissed the

¹ RGDN12.

Claimant's Charter appeal for reason the Record did not comply with the Tribunal's directions of March 29, 2021.

Matter I have to consider first

[4] The Claimant submitted further documentation to the Tribunal on May 17, 2021.² As above, I had issued an Interlocutory Decision dismissing the Claimant's Charter claim on May 12, 2021. This decision was sent to the Claimant on May 18, 2021. Due to the pandemic, there are sometimes delays in processing documents and I did not receive the Claimant's May 17, 2021 documentation until after the Interlocutory Decision of May 12, 2021 had been sent to the Claimant.

[5] On March 29, 2021, I had directed the Claimant to provide his Record as one document, when complete,³ to the Tribunal as opposed to a series of documents. I am satisfied that the Claimant substantially complied with that direction. Aside from this one supplementary submission, he provided his Record on April 20, 2021⁴ as one document. In the interests of ensuring that all possible relevant information has been considered, I will allow this supplementary information to be considered as part of the Claimant's Record.

Issue

[6] Does the Claimant's supplementary information change the Interlocutory Decision of May 12, 2021 dismissing the Claimant's Charter claim for reason his Record does not comply with the Tribunal's directions of March 29, 2021?

Analysis

Supplementary Information

[7] The Claimant's supplementary information refers to a judicial review proceeding in Federal Court. The Claimant states in his materials that he is seeking relief in the form of a patent for the "Letter to the Queen 2020", "A Noble Title", and "The Divorce".

² RGDN12.

³ RGDN09-3.

⁴ RGDN-10 and RGDN-11.

The Tribunal has no jurisdiction to provide such relief in this proceeding. The requested remedies do not relate to the Claimant's Charter claim.

[8] The Claimant cites various legislative provisions without explaining their relevance to his Charter claim. He also puts forth his ideas for social change, which are not relevant to the Charter claim. The only specific reference to the Claimant's Charter claim is the Claimant's statement that the "Employment Insurance Section is taking a portion of Canadian workers salaries to insurance unemployment benefits and the government is discriminating sick unemployed workers when is time to claim it." He asks, "How can the empire ameliorate that situation?"⁵

[9] This statement is an allegation of discrimination but does not explain how section 18 of the EI Act breaches the Claimant's rights under section 15(1) of the Charter, with reference to relevant facts or evidence.

[10] I find the supplementary information does not change my decision of May 12, 2021. The Claimant's Record, even when considered with the Claimant's supplementary information, does not comply with the Tribunal's directions of March 29, 2021. The Claimant has not explained his Charter claim with reference to relevant facts or evidence. The Claimant's Charter claim remains dismissed.

Conclusion

[11] The appeal is dismissed. The Claimant's file is to be closed.

Charlotte McQuade
Member, General Division – Employment Insurance Section

⁵ RGDN12-10.