



Citation: *PC v Canada Employment Insurance Commission*, 2021 SST 275

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

Decision

Appellant: P. C.

Respondent: Canada Employment Insurance Commission

Decision under appeal: Canada Employment Insurance Commission reconsideration decision (0) dated January 11, 2021 (issued by Service Canada)

Tribunal member: Lilian Klein

Decision date: June 9, 2021

File number: GE-21-73

[1] I am allowing the appeal.

[2] On January 19, 2021, the Appellant (the Claimant) filed an appeal of the Commission's reconsideration decision. The issue before me is whether she had enough insurable hours in her qualifying period to get additional weeks of employment insurance (EI) regular benefits. The Claimant has the burden of proving that she qualified for additional weeks.

[3] The Claimant says she had enough hours from her two periods of employment during her qualifying period to get more benefits. On June 8, 2021, the Commission filed submissions in which it conceded the appeal because the ruling from the Canada Revenue Agency shows that she had enough insurable hours in her qualifying period.

[4] I have reviewed the evidence and submissions in the file and agree with the Commission that the appeal should be allowed. The CRA ruling is indisputable evidence of her hours of insurable employment and so she has met her burden of proof in this case.

[5] Finally, I rely on paragraph 3(1)(b) of *the Social Security Tribunal Regulations* (Regulations) to render this decision on the record. I find that the Commission's failure to use section 18 of the Regulations to enter an agreement with the Claimant is a special circumstance that justifies varying the requirement to hold a hearing. This ensures that the appeal is dealt with as informally and quickly as the circumstances, fairness and natural justice permit.

Lilian Klein
Member, General Division – Employment Insurance