



Citation: *AG v Canada Employment Insurance Commission*, 2023 SST 511

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

## Decision

**Appellant:** A. G.  
**Representative:** M. H.

**Respondent:** Canada Employment Insurance Commission

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**Decision under appeal:** Canada Employment Insurance Commission  
reconsideration decision (507667) dated June 23, 2022  
(issued by Service Canada)

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**Tribunal member:** Raelene R. Thomas

**Type of hearing:** Teleconference

**Hearing date:** January 9, 2023

**Hearing participants:** Appellant  
Appellant's representative

**Decision date:** February 6, 2023

**File number:** GE-22-2506

## Overview

[1] The appeal is was withdrawn at the hearing. No decision is necessary. The file is closed.

## Matters I have to consider first

### The Claimant's two appeals were joined

[2] The Commission made two decisions about the Claimant's application for EI benefits. It decided she was disentitled from receiving benefits because she was suspended due to her own misconduct and that she was also disentitled because she had not proven her availability for work.

[3] The Claimant appealed both decisions to the Tribunal. Tribunal staff numbered the appeal on misconduct GE-22-2505 and the appeal on availability for work GE-22-2506.

[4] I can deal with two or more appeals together if they involve a common question, but I can do that only if it would not be unfair to the people involved in the appeals.<sup>1</sup>

[5] I looked at the information in both appeals. I decided to join the two appeals because the facts related to the issues of misconduct and availability for work are similar.

### The Claimant withdrew appeal GE-22-2506 at the hearing

[6] At the hearing I explained to the Claimant and the Claimant's Representative that when the Commission reconsidered its decision to disentitle the Claimant from receiving EI benefits because she did not prove she was available for work it reversed its decision. This meant the Commission was no longer disentitling the Claimant from

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<sup>1</sup> Section 35 of the *Social Security Tribunal Rules* gives me this authority.

receiving EI benefits for the reason she was not available for work. It also meant she was appealing a decision the Commission had made in her favour.

[7] After consulting with her Representative, the Claimant and the Representative told me that she was withdrawing her appeal on the availability for work issue. As a result, I will not issue a decision on the availability for work issue and I will only decide the misconduct issue.

## **Conclusion**

[8] The appeal was withdrawn at the hearing. No decision is necessary. The file is closed.

Raelene R. Thomas  
Member, General Division – Employment Insurance Section