

What decisions can be appealed?

- You have the right to appeal decisions by Alberta Employment Immigration and Industry (AEII) affecting benefits under:
 - Alberta Works Income Support (IS) including training benefits for provincially funded Learners. The appeal process through the Citizens' Appeal Panel does not apply to federally funded Learners (Employment Insurance Learners).
- Only decisions about financial eligibility can be appealed under the following programs:
 - Alberta Child Health Benefit (ACHB)
 - Alberta Adult Health Benefit (AAHB)
- If you disagree with a decision affecting your eligibility or benefits and a solution cannot be reached between you and the person who made the decision and/or your main contact, you may wish to appeal.
- If AEII denies, cancels or changes your benefits you have the right to appeal the decision.

How do I start an appeal?

- You must appeal within 30 days from when you receive notice of the department's decision about your benefits and your right to appeal.
- The first thing you need to do is fill out a Notice of Appeal form and file it with the office handling your case or with the Appeals Secretariat. You can pick up a Notice of Appeal form at any AEII office or get a printable version online at <http://www.appeals.gov.ab.ca>

- You can take your Notice of Appeal to an AEII office or send it by mail.
- After filing your Notice of Appeal form, the next step in the appeal process is an Administrative Review. This is completed by the senior staff person to determine if the matter can be resolved.

How does the Administrative Review work?

- The Administrative Review is the fastest way to settle a problem.
- When you send your Notice of Appeal to AEII, a senior staff member may call you. They will ask you if you have anything else to tell them. They will review
 - your file
 - the information from you
 - the information from the person who made the decision and from your main contact
- The senior staff person will review the decision to determine if the matter can be resolved. If the matter is resolved there will be no need to proceed further.
- If they agree with the decision affecting your benefits, then they will send you a Review of Decision to explain their reasons.
- If the matter is not resolved through the Administrative Review then your appeal is scheduled for a hearing with the Citizens' Appeal Panel, unless you tell AEII or the Appeals Secretariat that you do not want an appeal hearing.

How does the Citizens' Appeal Panel work?

- The Minister of AEII appoints the members of the panel, but they are not government employees. The Panel will hear your concerns in a fair and impartial manner.
- The Citizens' Appeal Panel listens to your concerns and decides how to deal with an AEII decision, which affects your benefits.
- The Citizens' Appeal Panel interprets the laws which apply to IS (including ACHB and AAHB).
- Appeals for provincially funded Learners accessing Income Support and/or training benefits are held in Edmonton and Calgary only. If you cannot attend alternate arrangements will be made for you. All other appeals are heard by one of the 31 Citizens' Appeal Panels located across the province.

What do I need to think about to prepare for the hearing?

- If you decide to send someone in your place to represent you at the hearing, write a letter giving that person permission. The appeal panel will not allow someone to represent you without your written consent.
- To avoid delays be sure to give the office handling your case copies of any new information before the hearing. New information could change the decision of AEII making it unnecessary to hold an appeal hearing.

- If you are waiting for a medical report or if you cannot make the hearing on the set date then you must let the Appeals Secretariat know one full day in advance. You can ask for a new hearing date to be set.
- If you cannot go to the appeal and if you do not let the Appeals Secretariat know, your appeal may be considered, withdrawn or abandoned by the Panel.
- All hearings are in English. You should make your own arrangements if you need an interpreter.

What will happen at the appeal hearing?

- You, or your representative, an AEII representative, and the Appeal Panel members will be present at the hearing. The AEII representative may be your worker, your worker's supervisor, and/or other officials.
- The person chairing the meeting will start by introducing everyone and will explain the rules for the hearing. This person states the decision being appealed and asks if anyone objects to the people on the panel or their ability to decide.
- The Chair then asks if there is new information or documents. You and/or the department representative can ask for a break or adjournment to review the information.

What will happen at the appeal hearing?

- The AEII representative will speak about why they decided to refuse, change, or cancel your benefits. The AEII representative is there to speak on behalf of AEII and cannot give you advice or support. Both you and the panel members will have an opportunity to ask questions.
- When the AEII representative is finished speaking, it is your turn. You can give your information verbally or in writing. You can also bring an advocate or someone else to help you present your case. The AEII representative will not interrupt you while you are speaking. Then the Panel members and AEII representative may ask you questions.
- The Chair will ask if either you, or the AEII representative has any more information.
- Finally, you and the AEII representative will have the chance to make any final statements based on the information given during the hearing.
- Any information you give at the appeal hearing is kept confidential. This is the law.

What will happen after the appeal hearing?

- The panel will give you a written decision which will explain the reasons for their decision. The decision will normally be sent to you within five business days of your appeal hearing. In instances where legal counsel is involved it may take longer than five days to issue a decision.
- The decision of the panel is final, with no further levels of appeal. However, you may request the Court of Queen's Bench undertake a judicial review of the appeal decision.
- While the office of the Ombudsman cannot overturn a decision of the Citizens' Appeal Panel, if you believe your hearing was unfair you may file a complaint with their office. The Ombudsman's office number is (780) 427-2756 in Edmonton and (403) 297-6185 in Calgary. To call toll-free dial 310-0000 and then dial the Calgary or Edmonton number. For online information you can visit www.ombudsman.ab.ca



Contact Us:

By Phone:

(780) 427-2709 Edmonton
(403) 297-5636 Calgary
(403) 340-5531 Red Deer
(403) 381-5681 Lethbridge

To call toll-free dial 310-000 then dial one of the numbers above.

By mail or in person at:

6th Floor, Centre West Building
10035 - 108 Street
Edmonton, AB T5J 3E1

6th Floor, Provincial Building
4920 - 51 Street
Red Deer AB T4N 6K8

24th Floor, AMEC Place
801 - 6th Avenue SW
Calgary AB T2P 3W2

4th Floor, Administration Building
909 - 3rd Avenue North
Lethbridge AB T1H 0H5

By e-mail at:

appeals@gov.ab.ca

Visit our web site at:

<http://www.appeals.gov.ab.ca>

A Guide to the Appeals Process

