

Your appeal

Income and Employment Supports

After you file an appeal

The Income and Employment Supports (IES) program will review your documents to see if the matter can be worked out without going to an appeal hearing. Someone from the program may call you.

If the matter is worked out, you do not need to continue with your appeal and can choose to withdraw it.

If the matter is not worked out:

- the IES program will send you a letter explaining the reasons their decision will not change
- the Appeals Secretariat will start setting up your appeal hearing

Hearing date and location

The Appeals Secretariat will mail you a letter with the date, time and location of your hearing. The Appeals Secretariat is a neutral government office that runs separately from the IES program. You are expected to take part in person on the date and at the location given in the letter.

If you can't make the hearing

Tell the Appeals Secretariat right away if you

- cannot attend in person
- have to change the hearing date

If you miss your hearing without telling the Appeals Secretariat or if your contact information changes and you can't be reached:

- the appeal panel may decide you chose to end your appeal without telling anyone – this is called abandoning an appeal
- the appeal panel's decision that you abandoned your appeal is final
- your right to appeal will end
- your appeal will be closed

Preparing for the hearing

Tell the Appeals Secretariat if you

- need an interpreter since all hearings are in English
- want to give another person authority to act on your behalf throughout the appeal process
- are bringing anyone to the hearing to support you
- want information about organizations that may be able to help you with your appeal
- are waiting for any new information related to your appeal

Make sure to

- read any documents the Appeals Secretariat or the IES program sends you
- send a copy of any other documents that support your appeal to the Appeals Secretariat before your hearing
- read the appeal package the IES program sends you and bring it to your hearing
 - you should receive the appeal package at least one week before your hearing

Withdrawing your appeal

Tell the Appeals Secretariat right away if you want to withdraw your appeal. This means it is stopped and you no longer want to appeal the IES program's decision.

At the hearing

An appeal hearing usually lasts one hour.

Who takes part

- three appeal panel members
- you and/or the people you said would be there acting on your behalf or supporting you
- someone from the IES program and any people they have supporting them

What takes place

- The appeal panel chair begins the appeal hearing.
- The person from the IES program and their supporters present their information first.
 - You must let each person speak without interrupting.
 - You will be able to ask questions after each person speaks.
- Next, you or the person acting on your behalf, and others who support your appeal present your information.
 - The appeal panel and the person from the IES program will be able to ask questions after each person speaks.
- The chair asks the person from the IES program, then you to summarize your information and the decision you would like the panel to make.
- The chair ends the hearing and lets you know when you can expect the panel's decision.

After the hearing

The appeal panel will decide to agree with, reverse or change part of the IES program's decision.

You will get a letter with the appeal panel's decision and reasons for their decision.

The appeal panel's decision is final.

Concerns about the hearing

If you think the appeal hearing was unfair you have two options:

Option 1. File a complaint to the Ombudsman

You can make a complaint to the Alberta Ombudsman's office. They cannot reverse or change an appeal panel decision, but can:

- review the appeal process
- make recommendations, including that the appeal panel re-hear the case

Option 2. Apply for judicial review

A judicial review happens through the Court of Queen's Bench. The Court can decide if the appeal panel:

- acted within its legal authority
- followed a fair process
- made a reasonable decision based on the situation

The Court cannot make a new decision. However, it can send the matter back for the appeal panel to hear again if it agrees the hearing was unfair; if this happens, different panel members will hear your appeal.

Questions? Contact the Appeals Secretariat

The Appeals Secretariat is a neutral government office that runs separately from the IES program.

Main office

Phone: 780-427-2709

Toll free: 310-0000 before the number (in Alberta)

Email: CSS.Appeals@gov.ab.ca