

- ▶ If you cannot go to the appeal and if you do not let the Appeals Secretariat know, your appeal may be considered withdrawn or abandoned by the Panel.

What will happen at the appeal hearing?

- ▶ You, or your representative, an CSS representative, and the Appeal Panel members will be present at the hearing.
- ▶ The CSS representative may be your worker, your worker's supervisor, or other staff asked to assist.
- ▶ The person chairing the hearing will start by introducing everyone and will explain the rules of the hearing. The Chair clarifies the decision being appealed and asks if anyone objects to the people on the panel or their ability to decide.
- ▶ The Hearing 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.
- ▶ The CSS representative will speak about why they decided to refuse, change, or cancel your benefits. The CSS representative is there to speak on behalf of CSS and cannot give you advice or support. Both you and the panel members will have an opportunity to ask questions.

- ▶ When the CSS representative is finished speaking, it is your turn. You can give your information verbally or in writing. The CSS representative will not interrupt you while you are speaking. Then the panel members and CSS representative may ask you questions.
- ▶ The Hearing Chair will ask if either you, or the CSS representative has any more information.
- ▶ Finally, you and the CSS 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 Appeal Panel will give you a written decision which will explain the reasons for their decision. The decision will normally be sent to you within fourteen business days of your appeal hearing. In certain cases, such as when legal counsel is involved, it may take longer than fourteen days to issue a decision.
- ▶ The decision of the Appeal Panel is final, with no further levels of appeal. However, you may request the Court of Queen's Bench to undertake a judicial review of the appeal decision.
- ▶ While the office of the Ombudsman cannot overturn a decision of the Appeal Panel, if you believe your hearing was unfair you may file a complaint with their office.

Contact Us:

Appeal process questions or assistance please call:

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

To call toll-free dial 310-0000 then Dial one of the numbers above.

By mail, fax or in person at:

201 Agronomy Centre
6903—116 Street
Edmonton, AB T6H 5Z2
Fax: 780-422-1088

6th Floor, Provincial Building
4920-51 Street
Red Deer, AB T4N 6K8
Fax: 403-340-7168

24th Floor, AMEC Place
#2440, 801-6th Avenue SW
Calgary, AB T2P 3W2
Fax: 403-297-5661

4th Floor, Administration Building
#408, 909-3rd Avenue North
Lethbridge, AB T1H 0H5
Fax: 403-381-5221

By e-mail at:

hs.appeals@gov.ab.ca

Visit our website at:

www.appeals.gov.ab.ca

Alberta Works Income Supports

Appeal Process



Appeals Secretariat
780-427-2709
Toll free in Alberta at 310-0000
E-mail: hs.appeals@gov.ab.ca

What decisions can be appealed?

- ▶ You have the right to appeal decisions by Alberta Community and Social Services (CSS) affecting benefits under:
 - Alberta Works Income Support (IS) including training benefits for provincially funded Learners. The appeal process through the 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 department contact, you may wish to appeal.
- ▶ If CSS denies, cancels or changes your benefits you may have the right to appeal the decision.

How do I start an appeal?

- ▶ You must appeal in writing within 30 days from when you receive notice from the department of the decision about your benefits and of your right to appeal.
- ▶ The first thing you need to do is submit your Notice of Appeal in writing and file it with the office handling your case. For your convenience, you can pick up a Notice of Appeal form at any CSS office or get a printable version online at www.appeals.gov.ab.ca

- ▶ To file your Notice of Appeal you can drop it off at any CSS office, fax it or send it by mail. Either way your Notice of Appeal must be received within 30 days.
- ▶ After filing your Notice of Appeal form, the next step in the appeal process is an Administrative Review. This is completed by a senior department staff person to determine if the matter can be resolved.

Time Extension Request

If you don't file your appeal within 30 days, you can ask for more time by writing a letter asking for more time.

When asking for more time, include:

when you were told of the decision you are appealing

- when you were told that you could appeal the decision
- when you were told that you had 30 days to appeal
- why you were unable to appeal within the 30 day time limit.

The Appeals Secretariat will review your request and will make a decision to either grant your request or deny it. You will receive this decision in writing. If your request is denied, your appeal is closed and it will not go to the Appeal Panel for a decision.

You can't appeal the decision to deny your time extension request.

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 CSS, 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 department 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 the reviewer is in agreement with the original decision, then a Review of Decision explaining the reasons why will be sent to you.
- ▶ If the matter is not resolved through the Administrative Review then your appeal is scheduled for a hearing with the Appeal Panel, unless you tell CSS or the Appeals Secretariat that you do not want an appeal hearing.
- ▶ If you file your written appeal after 30 days you will be required to apply for a time extension.

How does the Appeal Panel work?

- ▶ The members of the Appeal Panel are not government employees. The Appeal Panel will hear your concerns in a fair and impartial manner.

- ▶ The Appeal Panel listens to both parties: the department's reasons for making its decision and why you disagree with the decision affecting your benefits.
- ▶ The Appeal Panel interprets the laws which apply to IS (including ACHB and AAHB).

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.
- ▶ If you are bringing someone with you, please contact the Appeals Secretariat and let them know.
- ▶ To avoid delays be sure to give the department handling your case copies of any new information well before your hearing date. New information could change the decision of CSS 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 please contact the Appeals Secretariat immediately or at least one full week in advance. You can ask for a new hearing date to be set.
- ▶ All hearings are in English. If you are unable to make your own arrangements for an interpreter, give us a call.
- ▶ You can also bring an advocate or someone else to help you present your case. If you are bringing someone, please inform the Appeals Secretariat.