SECTION 251.11(1)  
WAGE RECOVERY APPEALS  
*CANADA LABOUR CODE  
(Part III–Standard Hours, Wages, Vacations and Holidays)*

**NOTE:** If you have any questions about this form, please contact a Canada Industrial Relations Board officer at 1-800-575-9696.

The information provided and any documents submitted to the Canada Industrial Relations Board (the Board or the CIRB) are collected solely for the purpose of administering the *Canada Labour Code* (the *Code*) and will be used to deal with and adjudicate matters that come before the Board. **Parties that engage the Board’s services should be aware that this is a public process**. Documents filed with the Board will be placed on the public record, with the exception of documents that the Board declares to be confidential pursuant to section 22 of the *Canada Industrial Relations Board Regulations, 2012* (the *Regulations*). The Board provides public access to case files and posts key decisions on its website. Board decisions may identify parties and witnesses by name and may include information about them that is relevant and necessary to the determination of the dispute. For sensitive information, a request can be made to the Board for a Confidentiality Order. For more information, please see the Board’s [Information Circular No. 12–Policy on Openness and Privacy](http://www.cirb-ccri.gc.ca/eic/site/047.nsf/eng/00789.html).

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| **READ THESE INSTRUCTIONS BEFORE YOU BEGIN**  Section 251.11(1) of the *Code* provides that a person affected by a review decision made by the Minister under Part III of the *Code* may appeal directly to the CIRB within 15 days after the day the decision is served (delivered to the person affected), but only on a question of law or jurisdiction.  This form is intended to assist you in providing the information required for filing an appeal of a review decision by the Minister.  Please note that a person may **not** file an appeal of a payment order, a notice of unfounded complaint or a notice of voluntary compliance directly with the CIRB. If a person affected by a payment order, a notice of unfounded complaint or a notice of voluntary compliance disagrees with the order or notice, they may request the Minister to conduct a formal review of the order or notice. For more information about filing a request for review, please contact the Labour Program of Employment and Social Development Canada (ESDC).  Please refer to the Board’s [Information Circular No. 18–Wage Recovery Appeals](http://www.cirb-ccri.gc.ca/eic/site/047.nsf/eng/00796.html) and [Rules of Procedure No. 8–Wage Recovery Appeals (Direct Filing)](http://www.cirb-ccri.gc.ca/eic/site/047.nsf/eng/00801.html)for additional information. These reference materials can also be obtained from the Board’s website at www.cirb-ccri.gc.ca or from one of the Board’s regional offices.  An appeal must be in writing and include reasons for the appeal. Your appeal may be denied if reasons are not provided.  An employer or director who appeals a review decision by the Minister concerning a payment order must first pay to the Minister the amount indicated in the review decision of the payment order. An employer (but not a director) must also pay to the Minister any associated administrative fee (minimum of $200 or 15% of the amount of the review decision of the payment order, whichever amount is higher). The Minister may allow an employer or director to give security (e.g., a bond or irrevocable letter of credit) for all or part of the amount required. Any amount already paid to the ESDC Labour Program at the time of the request for review is subtracted from the amount required when filing an appeal. Payment will be held in trust by the Minister pending the outcome of the appeal.  If the appeal is rejected or considered inadmissible, any payment or security provided in relation to your appeal will be applied by the Minister to satisfy the payment order(s) or review decision and any required administrative fee.  After receiving your appeal, the CIRB will request from the Minister a copy of any document that the Minister relied on for the purpose of making the decision being appealed and obtain confirmation that an employer or director has paid or provided any required payment or security for the appeal. Your appeal request will only be processed upon receiving confirmation that the required payment or security was given to the Minister within the required time frame.  You will then receive a letter acknowledging receipt of your appeal and enclosing a copy of your appeal and a copy of any document that the Minister relied on for the purpose of making the decision being appealed. A copy of the acknowledgment letter, along with all enclosures, will also be forwarded to the parties affected by your appeal. The letter will also provide you and the other parties with additional information and instructions as necessary.  When filling out this form, please print clearly. You may use additional pages if necessary to provide the information requested. Please clearly identify and number any attachments. |

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| I–Appellant Information |
| LAST NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ FIRST NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  ADDRESS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  TELEPHONE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  EMAIL ADDRESS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  NAME OF REPRESENTATIVE OR COUNSEL, if applicable: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  ADDRESS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  TELEPHONE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  EMAIL ADDRESS: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **It is your responsibility to advise the Board in writing of any changes to your contact information.** |

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| II–Matter Being Appealed |
| ESDC FILE NUMBER: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  NAME OF FILE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (NAME OF APPELLANT),  wish to appeal the review decision by the Minister concerning a:  **Instructions: check an appropriate box.**  Notice of unfounded complaint  Payment order to employer  Payment order to director  Notice of voluntary compliance  A copy of the review decision being appealed is attached.  Yes  No |

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| III–Reasons for Appeal |
| Is the appeal on a question of law?  Yes  No  If yes, please explain:   |  | | --- | |  | |  | |  | |  |   Is the appeal on a question of jurisdiction?  Yes  No  If yes, please explain:   |  | | --- | |  | |  | |  | |  |   Please explain the full reasons/grounds for the appeal:   |  | | --- | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |  | |

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| IV–Payment or Security Required for Appeal |
| **Instructions: Complete this section if you are an employer or director.**  As an employer who is appealing a review decision by the Minister concerning a payment order, I have paid to the Minister the amount indicated on the payment order or in the review decision of the payment order and any associated administrative fee (or provided security acceptable to the Minister).  Yes  No  If yes, have you attached a copy of the document showing the payment or security provided?    Yes  No  As a director who is appealing a review decision by the Minister concerning a payment order, I have paid to the Minister the amount indicated on the payment order or in the review decision of the payment order (or provided security acceptable to the Minister).  Yes  No  If yes, have you attached a copy of the document showing the payment or security provided?  Yes  No |

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| V–Timeliness |
| Section 251.11(1) of the *Code* requires that you file your appeal within 15 days after the day the review decision is served (delivered to you). Is your appeal filed within the above time frame?  Yes  No  How was the decision sent to you? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  I received the decision on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.  (dd/mm/yyyy) |

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| VI–Oral Hearing |
| There is no requirement for the Board to hold a hearing even if one is requested, and most appeals are decided without a hearing on the basis of the submissions on file. Is a hearing necessary?  Yes  No  If yes, why do you believe that a hearing is necessary?   |  | | --- | |  | |  | |  | |  |   Where would you want the hearing to take place?   |  | | --- | |  | |  | |  | |  | |

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| VII–Filing Your Appeal |
| The Board has an e-filing Web Portal (Portal) service, which allows you to file your Portable Document Format (PDF) documents in the Board’s centralized document filing system. You can access the Portal [here](http://www.cirb-ccri.gc.ca/eic/site/047.nsf/eng/h_00620.html). If you choose to file your document electronically using the Portal, do not forward a hard copy of the same document to the Board. The electronic version will be considered the original copy.  Your appeal may also be filed by courier, by mail, or in person. The appeal will be considered filed as of the date the Board **receives** the appeal, or, under section 8 of the *Regulations*, the date of filing is the date the complaint was mailed **to the Board** when **registered** mail is used. The Board’s contact information can be found on the Board’s [website](http://www.cirb-ccri.gc.ca/eic/site/047.nsf/eng/home). |

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| Signature |  | Date |