SECTION 32.5(1)
WAGE EARNER PROTECTION PROGRAM APPEALS
(Overpayment) *WAGE EARNER PROTECTION PROGRAM ACT*

**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 *Wage Earner Protection Program Act* (the *WEPP Act*) 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. 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 32.5(1) of the *WEPP Act* provides that an individual may appeal a review decision made by the Minister under section 32.2 of the *WEPP Act* (review decision by the Minister regarding overpayment) to the CIRB 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 regarding overpayment, pursuant to section 32.5(1) of the *WEPP Act*.An overpayment occurs when an individual receives a payment in an amount greater than the amount that they were eligible to receive under the *WEPP Act.*Please refer to the Board’s [Information Circular No. 17–Wage Earner Protection Program Act Appeals (Overpayment)](http://www.cirb-ccri.gc.ca/eic/site/047.nsf/eng/00795.html) and [Rules of Procedure No. 6–Wage Earner Protection Program Act Appeals (Overpayment)](http://www.cirb-ccri.gc.ca/eic/site/047.nsf/eng/00799.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. The Board has determined thatan appeal pursuant to section 32.5(1) of the *WEPP Act* shall, unless circumstances beyond the control of the appellant justify a longer period, be made within 60 days after the day on which the appellant is notified of the Minister’s decision.If you are not able to file your appeal within the 60-day period, you must provide the reasons for the delay. An extension may be granted if you can demonstrate that there were circumstances beyond your control that prevented you from filing within the prescribed time period.The appeal will be based on the departmental record that was created for the review and no new information may be provided.An appeal must be in writing and include the following:* the last three digits of your Social Insurance Number (SIN);
* your current contact information (address, telephone number, etc.); and
* detailed grounds/reasons for the appeal.

Your appeal may be denied if reasons are not provided.Pursuant to section 32.8 of the *WEPP Act*, the Board may confirm, vary or rescind the review decision regarding overpayment.After receiving your appeal, the CIRB will inform the Minister in writing that an appeal has been made, provide the Minister with a copy of the appeal and request from the Minister a copy of any document that the Minister relied on for the purpose of making the decision being appealed. You will then receive a letter acknowledging receipt of your appeal and enclosing 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 will also be provided to the appointed trustee or receiver handling the bankruptcy or receivership proceedings for your former employer.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 |
| The last three digits of your Social Insurance Number (SIN): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_NAME OF FILE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (NAME OF APPELLANT), wish to appeal the Minister’s review decision made under section 32.2 of the *WEPP Act* regarding an overpayment*.*Please attach a copy of the review decision being appealed. [ ]  Attached [ ]  Not attached – Reason: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

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| III–Reasons for Appeal |
| What are the reasons/grounds for the appeal?

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Is the appeal on a question of law or jurisdiction?[ ]  Yes [ ]  NoIf yes, is it on a question of: [ ]  Law [ ]  JurisdictionPlease describe why you believe your appeal is on a question of either law or jurisdiction:

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| IV–Timeliness |
| The Board has determined thatan appeal pursuant to section 32.5(1) of the *WEPP Act* shall, unless circumstances beyond the control of the appellant justify a longer period, be made within 60 days after the day on which the appellant is notified of the Minister’s decision.Is your appeal filed within 60 days after the day you were notified of the Minister’s decision?[ ]  Yes [ ]  No I was notified of the Minister’s review decision regarding overpayment on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. (dd/mm/yyyy)If you want the Board to consider extending the 60-day time limit, you must demonstrate that there were circumstances beyond your control that prevented you from filing within the prescribed time period. Provide supporting documentation, if necessary.

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| V–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 *Canada Industrial Relations Board Regulations, 2012*, the date of filing is the date the appeal was mailed **to the Board** when registeredmail 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 |