J4EIM (*Justice 4 EI Misconduct*)

SITE: *https://Justice4EIMisconduct.com*

YT: https://youtube.com/@Justice4EIMisconduct

Email: J4EIM@outlook.com *(Questions & Suggestions)*

Presentation: E.I. Case *(Complete Walk-Through)*

{Host / Show Name} *(Podcast)*

Date: January ##, 2026

Disclaimer: All Claims being Tested in Court. Until Final Judgement, Everything Discussed is for Edutainment Purposes *Only*…



3-5m

About Us: Who Are We?

J4EIM Project

During the **Pandemic**, the **Lives** *and* **Careers** of *numerous* **Canadians** were **Crushed** by the ***'EI Misconduct'*** label.

Our **Goal** is to **Explain** the **How & Why** underlying this **Injustice** to Canadians & **Invite You** to **Join Us** in a **National Campaign** to **Obtain *Real* Justice**…

All We Ask is that You **Understand what Happened & Send Letters** that ***Express Your Concern*** to the relevant **Government Agents & Bodies**, *Asking* them to '**Do the Right Thing**'.

We may file a **Parliamentary Petition**.

DA v. Canada *(AG)*

DA worked at Purolator for 30 Years.

After losing his Career, he struggled to support his Family with *part-time, low-paying* Jobs for the next 3 years.

Like others, this caused major Health, Financial & Family Life problems – incl. losing their Family Home to the Bank.

This year, he finally found another Carrer Job – and is Fighting this Injustice in Court for All Canadians – *whatever it Costs*, to the very end…

Matthew *(J4EIM)*

Matthew has held different jobs in various fields over the past 25 years:

from: Call Centres & Charity Agencies,
to: IT, Technical & Security Roles,
to: Landscaping & Manual Labour.

Formal Education in Cyber-Security:

1 Semester short of MSc *(Pandemic)*

Asked to Help a Family Member with their EI Case in mid-2022. Once I understood what was happening, I was Committed to this Fight, since I could *not* find any other Case that Challenged the Entire Process Itself…

3-5m
6/10m

Summary: What Happened?

Pandemic: Fundamental Premise

Shutdown the Country *(and World)* to 'prevent the spread' of a 'deadly novel virus', by **quarantining *Healthy People*.**

To '**prevent economic collapse**' *(from worldwide lockdowns)*, institutions **mandated** *experimental* **injections**.

Public Health Agencies *and* Media Companies launched ***coordinated*** **Information Campaigns** to promote **Medical Mandates** country-wide.

Mandates: Fundamental Premise

Companies: *Granted themselves* the ***right*** to **Break the Law *(+Contracts)***, by simply *issuing Policies* saying so – then issued **Falsified ROEs** to **justify** this fact.

Governments: Used '***State Action***' to *pressure* private Companies into this – then **accepted** this **Absurdity** *whenever 'their Corporate Policy permitted it'*.

Adjudicators: *Refused* to address this **Injustice** on 'Jurisdictional' Grounds – by Changing Tests, Abusing Processes, etc.

Resources: https://TinyURL.com/J4EIM-Resources *(Court Docs & Podcasts)*

7-12m
13/22m
3+4+5m

Summary: How it Happened

Questions at Issue *(12)*

#3-4: Can Corporate Policy Override Contracts & Binding Legislation?

#5: When Policies *Do* Break Laws & Contracts, are They Legally Active?

#6: Are Contracts & Common Law *Ultra Vires* for EI Adjudicators?

#8: Can Tribunals Violate *Home Statutes* by citing Case Law?

#9: Can EI Adjudicators *('ADMs') Selectively* Apply the Law?

#10: Can EI ADMs Use Undisclosed & Internal Info in their Decisions?

Root Cause *(YT)*

- Engineered EI ADM Processes
- Coercion & Perverse Incentives
- Diffusion of Responsibility
- No Real Understanding of the Law
- COVID-19: Policy Trumps Law
- Pre-Written Decision Templates

Process Engineering *(YT)*

- S/C Issued *Secret* BE-Memo
- CEIC Changed Facts in Case
- Inapplicable Case Law Cited
- Processes Used Logical Fallacies
- Engineered Abuse of Process
- Bypassed Vavilov *(SCC)*
- Templatised Systemic Errors

Press Release: *(Case Summary)*: https://tinyurl.com/J4EIM-PR | https://youtu.be/sxNnpCribyg *(28 min)*

2-4m
15/26m

Summary: Impact of Scandal

ESDC: E.I. Program Stats *(20/10-23/05)* *10.4M / 2.6M / 25%* (*15.3% / +64.5%*)

SST Stats: Cases by Reason

SST Statistics: Case Load *(By Separation Reason)*

Year	EI Cases	Non-C19	C19-MM Cases	MM Load
2019	**988**	988	0	0.0%
2020	712	712	0	0.0%
2021	595	588	7	1.2%
2022	**1304**	**874**	**430**	**33.0%**
2023	**1496**	**875**	**621**	**41.5%**
2024	836	768	68	8.1%
Total	**5931**	**4805**	**1126**	**19.0%**

Cases: 2019=988, Lull=654, Mandate=1400

Change: +42% / +214% *(C19-MM: 37.5%)*

SST Stats: Success Rate by Reason

SST Statistics: Benefits Granted Rate *(By Reasons + Difference)*

'21-'24	Cases	Yes	Rate	Non	Yes	Rate	MM	Yes	Rate	Diff
GD	2370	453	19.1%	1768	*424*	24.0%	597	29	4.86%	4.93x
AD	1861	398	21.4%	1337	*360*	26.9%	526	38	7.22%	3.73x
Total	**4231**	**851**	**20.1%**	**3105**	*784*	**25.25%**	**1123**	**67**	**5.97%**	**4.23x**

E.I. Granted: Normal=25%, C19-MM=6% *(Denied: –423%)*

E.I. Program: ~1M Extra Denials *(Base: 2.6M / 1.645 = 1.58M)*

Statistics & Process Engineering: https://blog.Justice4EIMisconduct.com/p/11-many-cases-adjudicators

3-5m
18/31m

Summary: 'Solution' to Problem

Overview

'Due to Pandemic' ***New* EI Processes** were ***Engineered*** across ***multiple*** federal **Agencies**. *(SC, CEIC, SST…)*

They **compelled ADMs** to **break laws** by **Denying Benefits** to otherwise **Qualified Claimants**. *(EI Act, et al)*

Statutory requirements **overridden** by **Secret BE-Memo & Decision Templates** that ***miscited* Case Law & 'Abused Process'** using ***pre-Written* Reasons + *modified* 'Misconduct Test'** containing *two* **Logical Fallacies**.

100Ks Claimants Denied ~$13B Benefits

'Policy Over Statute' Again?

Impact & Cost

C19 Mandate Refusal Rate: ~*10%*

~10% *(4x Ways)* *(Union, Pension, WF, EI)*

Canadians Denied EI Benefits *(C19-MM)*

EI/SC: ~500k Claims *('21:Q4–'23:Q1)*

SST-EI: ~1100 Cases *(2022–2024)*

E.I. Claims: ~$13B Liability

EIOA (2023): 50% Revenue

10M E.I. Claims vs. 20M WorkForce

(50% Working Canadians EI Claim)

Censorship

****** CANCELLED ****** Notice of motion contained within a Motion Record on behalf of the applicant for a Confidentiality Order in writing filed on 02-JUN-2025	71

Someone tried to **silence our Case** by applying for a **Confidentiality Order** "*on behalf of the Applicant*."

We are acting '***pro se***' – as an **SRL** *('Self-Represented Litigant')* – there is **no** *'on our behalf'*. ***Who Filed this?***

We don't know who made this request.

Our Case was **Reassigned** to ***New Judge***

6-9m
24/40m

Problem #1 *(E1)*: EI Act *(Rizzo)*

Legislative History

C-229 ['71]: *Socialized UI Program*

During this time period *(1980-1993) Canada's Net Debt/GDP ratio increased* ***210%****:* ***44.9%*** *to* ***94.7%.***

Our Unemployment Rate rose ***52%+****: from* ***7.5%*** *[1980] to* ***11.4%*** *[1993].*

C-21 ['90]: *Removed Federal Funding, Introduced 5 Just Cause Reasons.*

C-105 ['93]: Lost *(Public Pressure)*

C-113 ['93]: *Codified 14* '**Just Cause**' *Reasons* **+** *Claimant* '**Benefit of Doubt**'

Hansards: ***5*** *Vol,* ***4700+*** *Pgs. (in 5 yrs) Term 'Just Cause' appears* ***545 Times****.*

Legislative Intent

The **Legislative Intent** of **10+ MPs, 5+ [Deputy] Ministers, 3 UI Directors, 2 Parliamentary Secretaries &** numerous witnesses is clear:

EI Benefits *cannot* be Denied to Claimants who have 'Just Cause' when *separating* from Employment.

And this *explicitly* includes situations when Employers *allege Misconduct.*

Just Cause Analysis *(Contrary to Law)* is the required Test when deciding to Disentitle or Disqualify EI Claimants.

This also grants *'Benefit of the Doubt'* to *Claimants* in ambiguous situations.

EIA §29(c), **EIA §49(2)**, **EIA §51**

Scope/Controversy

This decision was called the most controversial change in EI History.

It resulted in *multiple* Protests, Sit-Ins & Arrests across Canada. *(50k in -25℃)*

This *'Public Outrage'* was mentioned *six times* in *two months* in Hansards.

It resulted in Employment Canada planning construction projects at EI Offices across the country to 'install back-doors' on EI Interview rooms.

It also provoked a *specific* Motion in the House because it was deemed *'too severe', 'beyond fair',* etc.

It was finally *imposed* via a **Supply Bill** – which created a Confidence Vote.

J4EIM: #1: Rizzo Analysis ***(https://blog.Justice4EIMisconduct.com/p/1-rizzo-analysis-ei-act)***

5-8m
29/48m

Problem #1 *(E1)*: Home Statutes

EI Act: §29(c)

EI Benefits: 'Just Cause' Analysis

§29 [Interpretation]: "For the purposes of §30–§33: *[Disentitlement]*"

(c) **Just Cause** for Voluntarily Leaving an Employment ***or*** Taking Leave from an Employment ***exists IF*** the Claimant had *No Reasonable Alternative* to **Leaving *or* Taking Leave**, having regard to all the circumstances, including: *[(a | of)]*

(xi) Practices of an Employer that are **Contrary to Law**

(vii) **Significant Modification** of Terms & Conditions respecting Wages or Salary

(ix) **Significant Changes** in Work Duties

(xiii) **Undue Pressure** by an Employer on the Claimant **to Leave** their **Employment**

DESDA §64

SST: Powers of Tribunal

§64(1): "The Tribunal may decide ***any* Question of Law *or* Fact** that is ***necessary*** for the **disposition** of ***any* Application** made **or Appeal** brought under this Act."

§58(1): [Grounds of Appeal: E.I.]

"The *only* Grounds of Appeal of a Decision made by the E.I. Section are that the[y]:"

(a) [] Natural Justice or [] Jurisdiction

(b) Erred in Law []

(c) Based its Decision on an *Erroneous* Finding of Fact []

Jurisprudence

Contrary to Law Analysis

[¶98]: "The term '***illegal***' has a *broader meaning* than merely '***Contrary*** *to the Criminal Law*' and can include **contraventions** of **Employment Standards** *[{like: CLC}]* ***and Legislation*** *(CUB 16209)*, **Collective Agreements** *(CUB 51219)*, and Licensing Board Certifications."

Federal Court Decisions ***(Binding)***

CUB 16209: Steven ***Becker*** v. CEIC *('89)*

CUB 51219: Linda ***Earl*** v. CEIC *(2001)*

Tribunal Decisions ***(Persuasive)***

2023 SST 1886: ***AM*** v. CEIC *[¶98] (2023)*

3-5m
32/53m

Problem #2 (E3): Summary & Conclusion

How do ADMs avoid their **legal mandate**?

The clear text of multiple laws, decades of Jurisprudence, Legislative Intent & History

Canada Labour Code (§3/§88.1): **Lock-Outs**

Criminal Code (§398): **Falsified ROEs**

Management Rights (*Garon, KVP, Irving*)

Constructive Dismissal (*Cabiakman*)

Bill of Rights (*1a: Security, 1b: Equal Protection*)

State Action (*Provincial Health & Consent*)

Consistency: Choice or Coercion?

Legal Intent: 'Leave' *or* 'Take Leave'?

Before the Pandemic *(2014–19)*, **539 Cases** Contained '***Just Cause***' Analysis. *(EIA §29[c])*

EI ADMs ***knew*** that this **Statutory Requirement** mattered *before* the 'worldwide emergency'

Also: **13 Cases** relied on '§29(c)(xi)' Analysis *'Employer Practices Contrary to Law'*

Also: **24 Cases** relied on '§29(c)(xi)' Analysis *during* the Pandemic. *(2020-2024: Masks)*

Before COVID-19 *(2014–2019)*, **365 SST Cases** appear to discuss contents of '*employment contracts*' or '*collective agreements*' when writing Reasons in their EI Benefits Decisions.

J4EIM: **#3: Rule of Law** (https://blog.Justice4EIMisconduct.com/p/3-rule-of-law-jurisdiction)

2-3m
34/56m

Problem #2B *(E4)*: Private & Common Law

Work Contracts

EIA §51 ['Information']: [When] *the Commission* ***finds an indication*** **from the documents** *relating to the claim that the loss of employment resulted from the claimant's misconduct […]:* ***(a)*** *"give the[m] [] an* ***opportunity to provide information*** *[&]* ***(b)*** *[]* ***take it into account*** *when determining claim.*

DBEP §21.2.2: **[Gathering All Evidence]:**

Evidence can take many forms [like]: written instruments [], letters, notes, **contracts**, [&] **collective agreements**.

pertinent legislation *(e.g. labour laws)*, **collective agreements & employment contracts** [are among] the **evidence necessary to *prove* the facts** of a particular case. ➔

Lock-Outs

CLC §3(1) ['Interpret']: "***Lock-Out***: incl. closing a place of employment, a suspension of work by an employer, or an employer's refusal to continue to employ a number of their employees, **done to compel** the[m] [] to **agree to terms** or conditions of employment."

CLC §88.1 ['Lock-Outs Prohibited']: "…**Lock-Outs** are **prohibited** during the term of a Collective Agreement."

Vavilov [¶111]: *"Where a relationship is* ***governed by private law*** *[Employment Contracts], it would be* ***unreasonable*** *for the ADM to* ***ignore that law*** *in adjudicating the parties' rights…"*

KVP & Irving

1965 ON-LA 1009: LSWU #2537 v. *KVP*

KVP [p.85]: '**Rules unilaterally introduced** by the Company, and ***not* subsequently agreed to** by the Union, ***must* satisfy** the following [pre]requisites:

1. It must **not** be **inconsistent with the CBA**
2. It must **not** be **unreasonable.** *(+Lawful)*

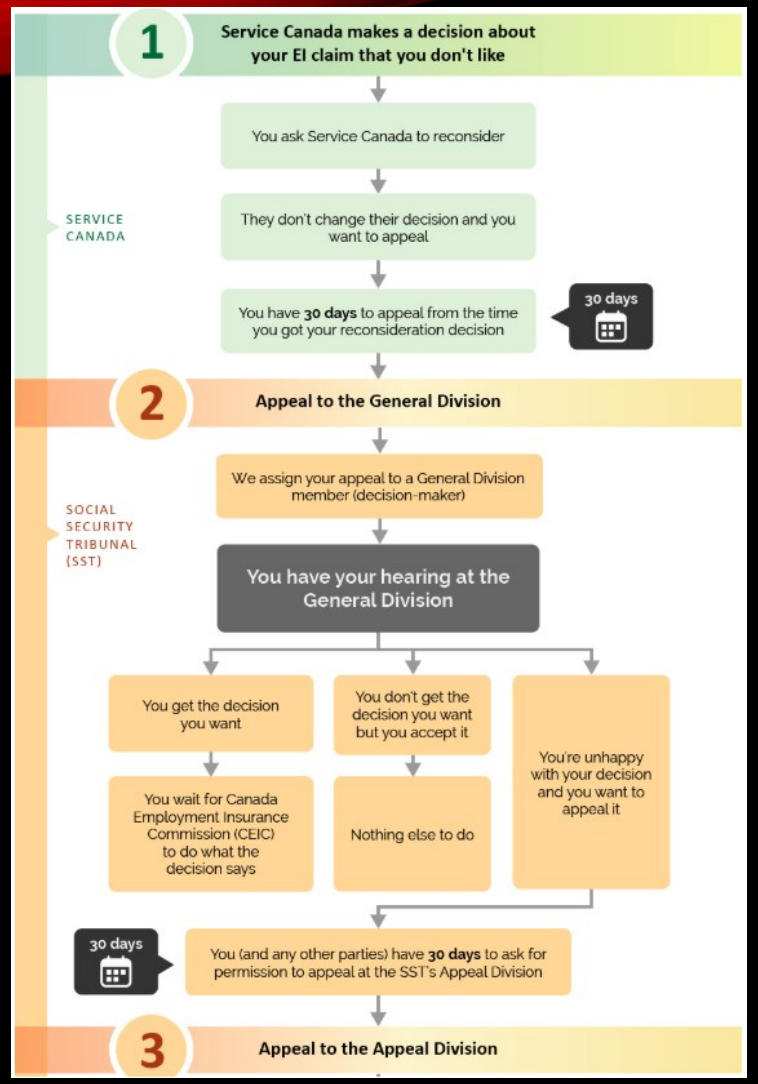
2013 SCC 34: CEPU Canada #30 v. *Irving*

Irving [¶24]: "**Any rule** *or* policy **unilaterally imposed** by an employer **& not [] agreed to** by the Union, ***must be* consistent with the collective agreement & reasonable.**"

J4EIM: #4: Private & Common Law (***https://blog.Justice4EIMisconduct.com/p/4-private-law-common-law***)

1-2m
35/58m

ESDC Response: EI Claims Process



SC => SST => FC[A]

#1A: Service Canada *(Initial App.)*

(Authority: DESDA §5, §7 & §19)

#1B: EI Commission *(Reconsider)*

(Authority: DESDA §24 & §28)

#2: SST-GD: General *(Appeal #1)*

(Authority: DESDA §52 & §54)

#3: SST-AD: Appeal *(Appeal #2)*

LTA: *Leave to Appeal Required*

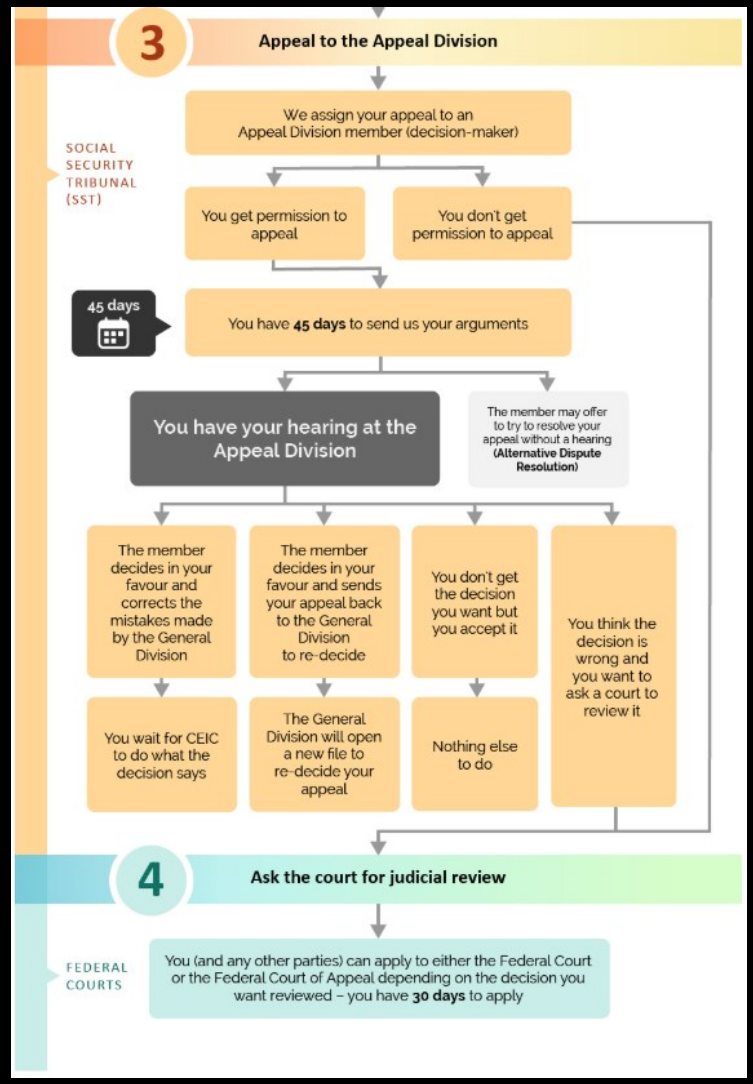
(Authority: DESDA §55–§59)

#4: Federal Court *(Judicial Review)*

FC = *Appealing GD & LTA (1 Judge)*

FCA = *Appeal AD & FC (3 Judges)*

(Authority: FCA §18.1 & §27–§28)



Appeal Process: https://TinyURL.com/J4EIM-EI-Appeal ***(Source: SST Website)***

4-7m
39/65m

Problem #4 (E9): Falsified ROEs

ROE: Legal Requirements (Form)

- **Criminal Code: §398**

  "**Every one who**, *with intent to deceive*, **Falsifies an Employment Record** *by any means* [] is **guilty of an [Summary] Offence**…"

- **ESDC: ROE Guide** (Box: #16 & #22)

  "It is a **serious Offence** to misrepresent the ***reason*** for issuing an ROE. If you **knowingly enter a false or misleading reason** [] you may be subject to fines or prosecution."

  "**Use Code 'N'** when the Employee is Leaving the workplace **Temporarily** to take a **Leave of Absence**. For example, if the Employee is taking ***any*** **period of Unpaid Leave**."

- **ESDC: ROEs during COVID-19** (2110–2412)

  "When the Employee doesn't report to work because they ***refuse to comply with your Mandatory COVID-19 Vaccination Policy***, **use** [] **Code 'N'**. *(Leave of Absence)*"

- **ROE Form** (Blocks **#16**, #18, **#22**)

  'N' vs. 'M' | Certified | 'Knowingly'

Why? Practical Consequences

- **ROEs are the *Only* 'Sworn' Evidence:** *(–SST:GD)*
  Whenever there is *conflicting evidence*, the *Certified* ROE will *always* prevail.

- **Avoid Premiums [2.2%+]** ***(Arbitration: ¶246f)***
  EI Act: §11(3) ['Leave with Deferred Pay']
  EI Regs: §14(6) ['Interruption of Earnings']
  EIR: §23(1)(a)(ii) ['Allocation of Insurable Earnings']

- ***WorkForce Reduction*** ***(ROE Code 'G': ¶251f)***
  Reduce your overall number of **workers permanently.**
  Your worker's were **informed *and* voluntarily left their job.**
  Each worker's voluntary leaving **protected [] a co-worker**.

5-8m
44/73m

Problem #5 (E12): BE-Memo

Summary

OPSD: 'BE-Memo' *('BE-2021-10')*

Title: *"EI Eligibility & Refusal to Comply with Mandatory Vaccination Policy"*

*Policy "Guidance [to] **All Staff** involved in the processing of [EI] Claims." (p.7)*

"This **memorandum** is ***not* linked** to ***any* legislative *or* regulatory amendments**."

Unlawfully Usurped Parliament's Authority:

Discriminatory: Only Applies to Sub-Group

Unjust & Unreasonable: Violates Vavilov ¶95

Internal Records: Secret Adjudication Rules:
Only Accessible via *Multiple* ATIPs
Impossible to Know Rules Used Against Us

Unlawful: Violated EI Act & Jurisprudence

Result: Mass Systemic Denial of EI Benefits for **narrowly-defined Group** using **Secret Rules**

Authorities

DESDA: Employment Dept. Act

The **Minister** can issue **[binding] 'Direction'** re. 'Duties & Functions'.

=> Agency Rules & Guidelines

(Set EI Program Directions/Agendas, via Internal Policy, not Legislation)

SC/EI: §24(3) & §25(1) *(CEIC)*

SST-EI: §45.1(1b&2) *(Chair)*

Vavilov ¶95 ['Internal Records']

"It [is] ***unacceptable*** *for ADMs to [] expect that its Decision would be upheld on the basis of **Internal Records** that were **not available** to that Party."*

Key Errors

Abuse of Process: 'Just Cause' Analysis

Mandated *New* Definitions & Eligibility Criteria without Legislative Authority.

Overrode EI Act: Legal Tests & Case Law

'Exceptional Circumstances' *(p.2-3,6)*

'Fact Finding' [esp. Contracts] *(p.6-7)*

[Old] Rules: EIA §51 & DBEP §21.2

'Suspension or Dismissal' *(p.3)*

'Leave of Absence' *(p.3-4)*

"Availability for Work' *(p.4-5)*

'Medical & Religious Exemptions' (p.5-6)

J4EIM: #12: BE-Memo | ESDC: BE-Memo | Lex Acker: Affidavit & ATIP | Blog Post [#2]

3-5m
47/78m

Problem #4 *(E10)*: CEIC Changed Facts

- **18** *different* statements from **4** different sources = 'Approved Leave'
- **Approved** 'LOA without Just Cause' ≉ Suspended for Misconduct

- Changed their Final Decision *ex post facto* – Claiming *'Clerical Error'*
- **[p.2, ¶7]:** "The attention of the SST is drawn to the fact that a **clerical error** was made in the **Notice** sent to the Claimant. The **Notice** indicated that the **Claimant is on a 'Leave of Absence'** *whereas it should have stated* that the Claimant was **Suspended due to Misconduct**."
- **[p.2, ¶4]:** "**Errors** which **do not cause Prejudice** are ***not*** **fatal** to the **Decision**…" *(cit. **Desrosiers** [#A-128-89])*

- This is also the **first time** that the term 'Suspended' is used *anywhere* in the record.

- Changing the Separation Type *(from 'LOA' to 'Suspended')* changes the applicable subsection in the EI Act *([LOA] §30/§32 => §31 => Eliminates 'Just Cause' Analysis)*

3-6m
50/84m

Problem #7 *(E14)*: Atrium Decision Templates

History

Annual Report *(1807)*: "Between [FY16 -FY17], SST launched ***five*** **new releases** of its **Case Mgmt. System…"** ***('Atrium')***

"Capacity was also enhanced with new features, [like] Assignment Tools**"**

"***Efficiency*** was further improved [by] develop[ing] **Decision Templates *pre-populated* with Legislative Texts** related to the issues at hand…"

'Benefits': Capacity & Efficiency *(AR)*,

Readability & *Consistency* *(SG)*,

'Plain Language Training' *(Eval)*

PreText: [Our Members: Selection]

~67% SST TMs "**do *not*** [have] a Law Degree *or* **Legal Background**…"

Usage

Style Guide: ***(2109, 2208, 2405)***

Plain Language: "…is about clear communication. [] How you **structure** and **design** your **Decision** is equally important. The **wording, structure & design** all contribute to **Readability.**"

[#1] Strategies: "A **solid structure** will **serve as the backbone** for your **Decision.** [] recent **Decision Templates** in ***Atrium*** give you **solid examples**…"

[#5] Format: "**Decision Templates** help with **Readability**. [] *Make sure you* **use** *the most recent* **Decision Template**. [] Use Templates so that your **Decisions** are **Consistent with other Decisions.**"

"**Decision Templates have Benefits:**

They often **set out the Legal Tests.**

Some are **already in Plain Language.**"

Problems

Evaluation *(2108)*: ***(2108, 2205, 2401)***

"TMs *first* received **Plain-Language Training** in **18/01**, then subsequent sessions or supporting tools **& at least 15 months to practice *before*** this Study began to sample their Decisions for Analysis."

"Some TMs expressed **challenges** in **applying training recommendations**, particularly those **delivered by non-legal professionals** or **inconsistent with Templates *or* internal messaging.**"

What **additional Training** *or* **Support** would you like from the Tribunal? *(/6)*

#1: Decision Templates *(48%)*

#2: Plain Language Guide *or* *Updated* Style Guide *(48%)*

J4EIM: #14-#15: 'Atrium' Decision Templates (*https://blog.Justice4EIMisconduct.com/p/14-templates*)

3-6m
53/90m

Problem #3 (E6): Historical Cases (Abuse)

Miscited Case Law

Historical Case Law ***(Cited: ~2500+)***

2005 FCA 87: **Bellavance** *[¶3]* ***(331)***

2007 FCA 36: **Mishibinijima** *[¶32]* ***(849)***

2007 FCA 107: **McNamara** *[¶9]* ***(593)***

2010 FCA 314: **Lemire** *[¶21]* ***(110)***

2016 FC 1282: **Paradis** *[¶15-16]* ***(610)***

In ***all*** these Cases, the **Claimants Self-Admit** to **violating** their **Work Contracts**

Judges *explicitly* state the Breaches…

Broke: Provincial Health & Safety Laws, Criminal Code & Conflict of Interest

Why Cite These?

Why Applied? ***(Proof-Texting)***

EI Management **found 5 Cases** *(/500+)* where Judges said they *'would **not** Investigate the Employer'* ***because*** the **Claimants broke their Contracts** *(+Law)*

In *all* **5 Cases**, **Misconduct** was **proven: No investigation** *required* **under those circumstances**. *(re. Facts & Pleadings)*

That is very different from **Allegations**…

EI Agencies are **attempting** to ***codify*** **Injustice as Binding Precedent.**

Also: Circular Reasoning *(re. Citations)*

Abuse of Process

Legal Principle: Procedural Fairness

Abuse: Unjustified or Unreasonable Use:

"Misuse or pervert regular Court processes – **not justified** by underlying facts – to gain an unfair advantage in a proceeding."

Baker [¶26]: *"If Claimants have legitimate expectation that a certain procedure will be followed, this procedure will be **required** by the Duty of Fairness." (Contrary-to-Law)*

Ex: 'Guilty' Pleas do not result in Trials.

'Not Guilty' Pleas require Fact-Finding.

Prosecutor Abuse after Non-Plea *[or]*

Citing *decades old, non-related* Cases

J4EIM: #6: Past Cases (https://blog.Justice4EIMisconduct.com/p/6-historical-cases-abused-process)

7-10m
60/100m

Problem #2C *(E5)*: Internal Logic & [In]Consistency

Misconduct Test

Proof-Texted 5 Decisions *2500*+ times.

Paradis [¶30] *"the Employer's conduct is* ***not*** *a relevant consideration."*

[Composite] *4-Part* 'Misconduct Test':

Did the Claimant?: ① Willfully ② Violate ③ Clear Policy ④ Knowing Consequence

A: The Employer Terminates a Worker, *Alleging* **Misconduct**. *(CBA or Policy)*

B: In Misconduct Cases, Apply the 'Test' *and* Ignore the Employer's Actions.

C: The Claimant meets *All* 4 Elements of the 'Misconduct Test'.

Therefore: The Claimant is 'Guilty of Misconduct' & **Denied EI Benefits**.

Circular Reasoning

C/R: ***Ruling*** *"we* ***cannot consider*** *your Employer's* ***unlawful actions*** ***b/c*** ***you*** *[allegedly] commit.* ***Misconduct***" when the ***only*** reason I'm supposedly 'Guilty' of 'Misconduct' is **b/c** my Employer's **unlawful actions**.

Absurdity: Determine 'Guilt' in *alleged* Misconduct on **Boss' unlawful actions**, while simult. **presuming** to **[mis]use** that ***'Guilt'*** to **skip statutory requirement** to **investigate Boss' unlawful actions**.

Escape Hatch: ROE Code 'M' *(CC §398)*

$\mathcal{X}$ = *Obey EIA: Just Cause Analysis*

'***M***' = ***Impossible*** *to Qualify for EI*

***** Policy Over Statute [Again]… *****

Logical Fallacies

Vavilov [¶102-04]: **"[Reasonable] *Decisions*** *must be []* ***rational*** **and *logical***. *[] Rationality may be questioned* ***If*** *the[y] exhibit clear* ***Logical Fallacies***, *[like]* ***circular reasoning***, *false dilemmas, [] or an* ***absurd premise.***"

A: The Employer Terminates '*X*', Alleging 'Only 12-Hour Shifts'. *(Not 24h)*

B: In '12h Shift' Cases, Apply the Test **&** Ignore Employer's Actions. ***(No** Just Cause)*

C: The Claimant meets All 4 Parts of the '12h Shift' Test.

Therefore: '*X*' is 'Guilty' of 'Working 12h Shifts' & **Denied EI**. ***(Abuse**: Contrary to Law)*

Petitio Principii *(Begging the Question)*

Special Pleading *(Unjustified Exceptions)*

J4EIM: #5: Logic & Consistency (*https://blog.Justice4EIMisconduct.com/p/5-internal-logic-inconsistency*)

5-10m
65/110m

Problem #7 *(E14)*: Specific Decision Templates

- KVP AND ("unilaterally impose" OR "unilaterally bring in") AND "even if the union disagrees" (CanLII, SST)
- KVP AND "this legal test was developed in the context of employment and labour law, I didn't find it helpful in interpreting the EI Act" (CanLII, SST)
- KVP AND "this is why the KVP test does not apply in EI misconduct cases" (CanLII, SST [Prove:SameParent])
- KVP [Filter:=Denied] *(All 24 [/24] 'KVP' SST Cases Used Denial Templates)*

J4EIM: #14-#15: 'Atrium' Decision Templates (*https://blog.Justice4EIMisconduct.com/p/14-templates*)

3-6m
68/116m

Problem #6 (E13): Precedent Error (EI Funds)

Bad Precedent

3 Cases: 2007 FCA 107 *(McNamara)*

McNamara [¶23]: "There is [**remedy**] to **sanction** an ***Employer's*** **behaviour** other than **transferring the[ir] costs** to **Canadian Taxpayers** via EI Benefits."

(i.e. Wrongful Dismissal Lawsuits)

Dubeau [¶36]: "[] **not** the ***responsibility*** of **Canadian Taxpayers** to **assume** the **cost** of ***Employer's*** **wrongful conduct** by way of **EI Benefits**." ***(0703–1905)***

(Ratio [Decidendi] vs. Obiter Dicta)

Cited: First 6 Years vs. Mandates ***(3a)***

('14-'19): SST Denied EI 3 Times ***(!ROE)***

C19-MM: SST Denied EI ~160 Times

EI Act: Funding

(Taxes ≠ Fund Employer Lawbreaking)

TaxPayers Do *Not* Fund E.I. ***(1990: C-21)***

Premiums *Taken* 'Off-Top' Weekly ***(1⅔%)***

EI Act: Premiums [§67-§68] ***(58%/42%)***

EIA [§68]: "..**Employers** *shall* **pay** [] **1.4 times** the Employees' Premiums."

EIA [§66.*x*] + EI Actuarial Report ***(2024)*:**

"***just enough*** Premium Revenue [=$0]"
'Revenue Neutral' + '7Y Break-Even Rate'

Event Chain caused by Falsified ROE ←
I'm 'guilty' of Misconduct*, but ADMs* ***'cannot investigate'*** *due to* ***Falsified ROE.***
Court said **Taxpayers *'unfairly burdened'*** paying **$0** to **'sanction'** their ***lawbreaking***

New Reality

EI Act: Intent of Benefits Program

Premiums: I pay **+** they pay for me.

If Just Cause, *some of it* is returned to me

When Fact-Finding **proves *they*** '*acted contrary to law*' I have Just Cause.

If ***no*** Just Cause, everything we have *both* paid is forfeit for other people.

ADMs: Caricature of Benefits Program

I pay **+** they pay for me. **If** Just Cause, *some of it* is returned to me for 45 weeks.

When *they* break laws, *everything* we *both* prepaid **for me** is forfeit to **'save' $0**

So I lose everything: my **job**, **wages & EI Benefits**, *despite* having Just Cause…

J4EIM: #13: 'TaxPayer' Error ***(https://blog.Justice4EIMisconduct.com/p/13-taxpayer-error)***

7-9m
75/125m

J4EIM: Our Call-to-Action

- **Share J4EIM Content & Press Releases** **J4EIM@outlook.com**
  - Help Us Spread the Word to Canadians *(We Need Public Support to Win)*

  (J4EIM Home): https://Justice4EIMisconduct.com
  Press Releases: https://TinyURL.com/J4EIM-PR

- **Send Public Interest Letters** *(Available Now)*
  - Mail Letters to relevant Government Officials, Sharing Your Concern

  PIL: Templates & Instructions: https://TinyURL.com/J4EIM-Public-Interest

- **Sign Parliamentary Petition to Expose & Remedy this Scandal** *(In-Progress)*