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| **[Name]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**  [Line1]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  [Line2]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  [Email]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |  | [**FCA**](https://www.fca-caf.ca/en/pages/about-the-court)**:** [Hon. Yves de Montigny](https://www.fca-caf.ca/en/pages/about-the-court/judges) *(Chief Justice, FCA)*  [**SCC**](https://www.scc-csc.ca/about-apropos)**:** [Rt. Hon. Richard Wagner](https://www.scc-csc.ca/about-apropos/judges-juges/meet-rencontrez/) *(Chief Justice, SCC)*    [**DOJ**](https://www.justice.gc.ca/eng/contact/index.html)**:** [Hon. Sean Fraser](https://ourcommons.ca/members/en/sean-fraser(88316)) *(Attorney General of Canada)*  [**DOJ**](https://www.justice.gc.ca/eng/contact/index.html)**:** [Morgan Macdougall-Milne](https://opengovca.com/employee/morgan-macdougall-milne) *(Director of Litigation)*  [**ESDC**](https://www.canada.ca/en/employment-social-development.html)**:** [Hon. Patty Hajdu](https://ourcommons.ca/members/en/patty-hajdu(88984)) *(Minister of Jobs & Families)*  [**ESDC**](https://www.canada.ca/en/employment-social-development.html)**:** [Hon. John Zerucelli](https://ourcommons.ca/members/en/john-zerucelli(122925)) *(Secretary of State: Labour)*  [**ESDC**](https://www.canada.ca/en/employment-social-development.html)**:** [Liz Smith](https://goc411.ca/414962/Elizabeth-Smith) *(Deputy Governor: Ombuds Office)* |

**Re: Public Interest in: *DA v. Canada (#A-63-24)* – Employment Insurance Appeal**

Honourable Recipients, **◯ See Reverse: My Personalised Impact Statement**

I’m including this letter to add my own personal situation into the record. I too was denied EI Benefits – and also for the same reasons and errors being challenged in this specific case. **[Among them] My EI Adjudicators:**

**◯** …**Found** my **employment contract *ultra vires***, despite invoking its Management Rights clause. *(Issue #6)*

**◯** …**Violated** their **Home Statutes** *(EI Act or DESDA)* and justified that by citing various case law. *(Issue #8)*

**◯** **Refused** to conduct statutorily-mandated **Just Cause analysis**, per [EI Act §29(c)](https://laws-lois.justice.gc.ca/ENG/ACTS/E-5.6/section-29.html), by refusing to consider   
 whether my employer: ***(xi)*** acted *‘contrary to law’* *or* ***(vii/ix)*** *unilaterally ‘changed’* my contract. *(Error #1)*

**◯** **Found** considering whether my **employer broke the law** or **violated my statutory rights** ***ultra vires***, despite:   
 [DESDA §64(1)](https://laws-lois.justice.gc.ca/eng/acts/h-5.7/section-64.html), [2006 SCC 2](https://canlii.ca/t/1mfl1) [[¶145-46](https://canlii.ca/t/1mfl1#par145)], [CUB 16209](https://jurisprudence.service.canada.ca/search/file.html?id=/eng/policy/appeals/cubs/10000-20000/16000-16999/16209), [CUB 51219](https://jurisprudence.service.canada.ca/search/file.html?id=/eng/policy/appeals/cubs/50000-60000/51000-51999/51219), et al *(cf.* [*2023 SST 1886*](https://canlii.ca/t/k4l2l) *[*[*¶98*](https://canlii.ca/t/k4l2l#par98)*]) (Error #3)*

**◯** **Found** a *unilaterally imposed* **policy superseded my contract** and refused to consider any breaches, despite:   
 [EIA §51](https://laws.justice.gc.ca/eng/acts/E-5.6/section-51.html), [DBEP §21.2.2](https://www.canada.ca/en/employment-social-development/programs/ei/ei-list/reports/digest/chapter-21/proving-facts.html#a21_2_2), [2017 SCC 55](https://canlii.ca/t/hmvq2) [[¶20-21](https://canlii.ca/t/hmvq2#par20)], [2013 SCC 34](https://canlii.ca/t/fz5d5) [[¶24-26](https://canlii.ca/t/fz5d5#par24)], ‘[KVP](https://canlii.ca/t/jp8p4)’ [[p.85](https://www.canlii.org/en/on/onla/doc/1965/1965canlii1009/1965canlii1009.pdf#page=13)], et al  *(Error #4)*

**◯** Used a modified ‘Misconduct Test’ containing two **logical fallacies** that *undermined* [EIA §29(c)(xi)](https://laws-lois.justice.gc.ca/ENG/ACTS/E-5.6/section-29.html). *(Error #5)*

**◯** Refused required analysis by [mis]**citing** clearly ***distinguishable* case law** with different fact patterns. *(Error #6)*

**◯** Relied on an *arguably* **falsified ROE** & refused to consider that fact. *(*[*CC §398*](https://laws-lois.justice.gc.ca/eng/acts/C-46/section-398.html)*,* [*ROE Box 16*](https://canada.ca/en/employment-social-development/programs/ei/ei-list/reports/roe-guide.html#h2.2-3.17) */* [*22*](https://canada.ca/content/dam/canada/employment-social-development/migration/images/assets/portfolio/docs/en/reports/ei/roe_guide/pdf/3106-roe-web-layout-en.pdf#page=46)*) (Error #9)*

**◯** **‘Selectively’ applied** key legal principles *inversely* from other related cases, aligning outcomes. *(Error #11)*

**◯** **Relied** [in-part] on **internal records**: [ESDC’s] ‘[BE-Memo (‘21-10)](https://scribd.com/document/655742045/EI-Eligibility-and-refusal-to-comply-with-a-mandatory-vaccination-policy-BE-2021-10-BE-Memo)’ policy. *(cf.* [*Vavilov*](https://canlii.ca/t/j46kb) *[*[*¶95*](https://canlii.ca/t/j46kb#par95)*]) (Error #12)*

**◯** …Denied my EI Benefits citing *erroneous* **‘TaxPayer’ consequences**, despite that being **$0**. *(Error #13)*

**◯** …Used erroneous *prewritten* ‘**Atrium Templates**’ in my Decision, that also appear in others. *(Errors #14-15)*

**◯** [Also]: The CEIC ***changed facts*** in their SST Written Submissions, claiming mere ‘*clerical error*’. *(Error #10)*

**◯** My employer *granted themselves* the ‘right’ to **break binding laws & contracts** *by issuing policy*. *(Issues #3-4)*

Respectfully submitted,

**[Case #s]**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Name]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Date]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **[Signature]:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Personal Impact Statement:** [Date]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, affirm the following is true, complete to my knowledge & presented in good faith:

Respectfully submitted,

[Name]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Case#]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Signature]: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_