

Strengthening Families.  
Building Communities.



# The Social Services Appeal Board

FREQUENTLY ASKED QUESTIONS

**The Social Services Appeal Board is an independent appeal board for decisions about employment and income assistance or municipal assistance offered by the Department of Family Services and Housing.**

## WHO SITS ON THE APPEAL BOARD?

The Social Services Appeal Board members are not employees of the Government. They are appointed by the Lieutenant Governor in Council. This makes sure your appeal hearing is fair and impartial. The Appeal Board is made up of 15 community members from all over the province. They represent Manitobans from a variety of backgrounds. Only three of the members will be at your appeal hearing, and one of these persons will chair the hearing.

## WHAT DECISIONS CAN BE APPEALED?

Decisions regarding the following issues can be appealed:

- Adoption Agency Licensing
- Child Day Care Subsidies
- Child Day Care Licensing
- Employment and Income Assistance
- 55-PLUS: A Manitoba Income Supplement, Junior Component
- Manitoba Prenatal Benefit
- Residential Care Licensing
- Vocational Rehabilitation Services Program (Eligibility)
- Vulnerable Persons Living with a Mental Disability Program (Eligibility and Individual Care Plan)

## HOW DO I APPEAL?

You have 30 days after the Department makes its decision to file your appeal. You can either fill out a Notice of Appeal form or write a letter to the Appeal Board. Your appeal can be faxed, mailed or dropped off to the office. You must include the decision you wish to appeal.

## WHAT HAPPENS AFTER I FILE MY APPEAL?

The Appeal Board will send you a letter telling you where the appeal hearing will take place, the date it will be held and the time the hearing will start.

The Appeal Board lets the Department know you are appealing. The Department writes a report to the Appeal Board and explains why the decision was made. A copy of this report and any other information about your case will be given to you before the appeal hearing.

## WHERE WILL THE APPEAL HEARING TAKE PLACE?

Most appeal hearings take place at the Appeal Board's office in Winnipeg. If you live outside of Winnipeg, a place like a community centre or a provincial building will be used. If you can't travel, the hearing can occur over the telephone or via videoconference.

## WHAT HAPPENS DURING THE APPEAL HEARING?

The chair will ask everyone at the hearing to introduce themselves to make everyone feel welcome. You will get an opportunity to present your case to the Board, and the Department will explain why it made the decision. You will get to decide who speaks first. The three Appeal Board members will ask you and the person from the Department questions about your case. You can bring documents and other information with you to present at the hearing.

## CAN I BRING SOMEONE TO MY APPEAL HEARING?

Yes. You may have a lawyer or another person come to the hearing to help you. A friend or relative may also come with you for support and may speak at the hearing if she or he wishes.

## WHEN DOES THE APPEAL BOARD MAKE THE DECISION?

The decision is made in private after the hearing has ended. The Appeal Board will send you its decision in writing within 15 days after the appeal hearing. If the appeal is allowed, the Board has ruled in your favour. If it is dismissed, it means the Appeal Board felt that the Department's decision was fair and in accordance with the legislation. The Appeal Board will give you the reasons for its decision.

## WHAT CAN I DO IF I DON'T AGREE WITH THE APPEAL BOARD'S DECISION?

There are two things you can do. If you have new information about the appeal, you may go back to the Department and ask them to review your case. If you don't want to go back to the Department for a review, you can write to the Appeal Board and ask for a reconsideration of the decision.

## HOW DO I APPLY FOR A RECONSIDERATION WITH THE APPEAL BOARD?

You have 30 days after the Appeal Board has made its decision to write to the Appeal Board and explain why you do not agree with its decision. If the Board agrees to reconsider your appeal, another hearing will occur. After the reconsideration hearing, the Appeal Board will decide whether to change its decision.

## CAN I DO ANYTHING ELSE TO APPEAL THE DECISION OF THE APPEAL BOARD?

You may be able to present your case at the Provincial Court of Appeal. To do this, you have 30 days from when the Appeal Board made its decision to write to the Court of Appeal and ask to have a judge hear your appeal. The judge will only hear the case if the Appeal Board made a mistake on a question of law or jurisdiction. If you decide to go to the Court of Appeal, you should have a lawyer help you. You can apply to Legal Aid for assistance.

If you have any further questions, please contact:

The Social Services Appeal Board

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