



Community Law School (Sarnia-Lambton) Inc.

Legal Literacy Activity Form

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Legal Literacy Activity Title: Appealing a Canada Pension Plan Disability Decision to the Social Security Tribunal

Date Developed: November 15, 2019

Learner Name:

Date Started:

Date Completed:

Legal Literacy Activity Description: The learner will read the online Steps to Justice questions and answers relating to SST appeals, review a case study and prepare written answers to questions relating to this topic. Also, they will locate organizations that could help with these appeals through an online search.

Materials Required:

Paper and pen

Access to a computer and the internet

Instructor preparation: Read over the learner instructions with the learner and check for understanding.

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Legal Literacy Activities:

Task # 1: Using an internet search engine (for example, Google), type “Steps to Justice” in the search box. On that website, click “Health and Disability” and then “Canada Pension Plan disability benefits (CPP)”. Click “I don’t agree with a decision about my CPP disability benefits. What can I do?” Please read all the questions and answers under that topic.

Task # 2: Please read the following case study and prepare written answers to the questions below.

Clark’s Journey

Clark Kent, age 54, had a stroke about a 2 years ago. He lives in Sarnia, Ontario. His recovery from the stroke is going much more slowly than he ever imagined. He has lost all feeling on the right side of his body. Clark is undergoing physical and speech therapy, although his doctors and therapists tell him that his condition is not likely to improve significantly. Clark has a grade 8 education, limited reading and writing skills and worked as a labourer in a tire shop his entire working life. He has not been able to return to work since the stroke.

Clark applied for CPP Disability benefits, but his application was denied on August 26, 2019. His family doctor completed the application and medical report on Clark’s behalf. Unfortunately, they offered very limited information about Clark on the forms. There were no specialist reports attached to the application even though Clark has seen a neurologist throughout the past 2 years.

The family doctor did not add much information about Clark’s work history, his education level and his limited reading and writing skills on the application. In fact, Clark has been working on his reading skills at Organization for Literacy in Lambton over the past year. As well, he has been attending the Stroke Recovery program 3 times per week.

Clark filed a Reconsideration Form, but Service Canada upheld the decision to deny benefits stating his disability is not “severe and prolonged”.

1. Where should Clark file his appeal?

2. How long does he have to file his appeal?

3. What different kinds of hearings can take place at the Social Security Tribunal?

4. What if Clark is denied his appeal? Can he appeal further?

Task# 3: Clark will need help with his appeal. Under this Task, you will locate organizations that could assist with his appeal to the Social Security Tribunal and prepare written answers to questions relating to this topic.

Using an internet search engine (for example, Google), type "Social Security Tribunal of Canada" into the search box. Go to the website and under "Most Requested" click "Organizations that can help". Since Clark lives in Sarnia, Ontario, click "Ontario".

1. Where in Sarnia can Clark get assistance with his appeal?

2. What is the telephone number of the organization that can help Clark?

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Answers for Legal Literacy Activities:

The learner will undertake the following activities. Answers to the questions are provided where applicable.

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Task # 2: Please read the following case study and prepare written answers to the questions below.

Clark’s Journey

Clark Kent, age 54, had a stroke about a 2 years ago. He lives in Sarnia, Ontario. His recovery from the stroke is going much more slowly than he ever imagined. He has lost all feeling on the right side of his body. Clark is undergoing physical and speech therapy, although his doctors and therapists tell him that his condition is not likely to improve significantly. Clark has a grade 8 education, limited reading and writing skills and worked as a labourer in a tire shop his entire working life. He has not been able to return to work since the stroke.

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Clark filed a Reconsideration Form, but Service Canada upheld the decision to deny benefits stating his disability is not “severe and prolonged”.

1. Where should Clark file his appeal?

Clark should file his appeal with the Social Security Tribunal – General Division.

2. How long does he have to file his appeal?

Clark has 90 days from the date he receives the decision to file his appeal.

3. What different kinds of hearings can take place at the Social Security Tribunal?

The hearings can be:

- in writing
- in person
- by telephone, or
- by videoconference

4. What if Clark is denied his appeal? Can he appeal further?

Clark can file a request to appeal to the Social Security Tribunal – Appeal Division.

Task # 3: Clark will need help with his appeal. Under this Task, you will locate organizations that could assist with his appeal to the Social Security Tribunal and prepare written answers to questions relating to this topic.

Using an internet search engine (for example, Google), type “Social Security Tribunal of Canada” into the search box. Go to the website and under “Most Requested” click “Organizations that can help”. Since Clark lives in Sarnia, Ontario, click “Ontario”.

1. Where in Sarnia can Clark get assistance with his appeal?

In Sarnia, Clark can contact Community Legal Assistance Sarnia.

2. What is the telephone number of the organization that can help Clark?

1-888-916-2527

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These Legal Literacy Activities: were successfully completed ___ need to be tried again ___

Learner Comments

Instructor (print and signature)

Learner Signature