

Employment and Assistance Appeal Tribunal
Guideline for Members

Panel Decisions with a Dissenting Opinion

July 2008

In the event members are unable to come to a unanimous decision, the two situations below describe the exchange of information that should occur.

When the panel majority includes the panel chair:

The dissenting member must provide the panel chair with the reasons for dissent within 48 hours of the hearing. The panel chair is to consider the reasons for dissent and is responsible for providing a copy of the dissenting opinion to the Tribunal along with the majority decision.

When the panel chair is the dissenting member:

The panel chair must provide the panel members with the reasons for dissent within 48 hours of the hearing. The panel members must write the reasons for the majority decision, consider the reasons for dissent, and then provide the majority decision to the panel chair as soon as possible after receiving and considering the dissenting opinion. The panel chair is responsible for providing a copy of the dissenting opinion to the Tribunal along with the majority decision.

Note:

The dissenting member must identify his or her self.

The panel members must review and approve the final facts and reasons within 24 hours of receipt.