

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Employment Services
Labor Standards Bureau

Office of Hearings and Adjudication
COMPENSATION REVIEW BOARD



(202) 671-1394-Voice
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CRB No. 07-97

DEBORAH WILLIAMS,

Claimant – Petitioner

v.

D.C. PUBLIC SCHOOLS,

Employer – Respondent.

Appeal from the Administrative Hearings Division
AHD No. _____; DCP No. 76007-1-5-11

Heather C. Leslie, Esq., for the Petitioner

Todd Kim, Esq., for the Respondent

Before: E. COOPER BROWN, *Chief Administrative Appeals Judge*, LINDA JORY and SHARMAN J. MONROE, *Administrative Appeals Judges*.

E. COOPER BROWN, *Chief Administrative Appeals Judge*, on behalf of the Review Panel:

REMAND ORDER¹

Pursuant to Application for Review filed with the Compensation Review Board (CRB) on May 9, 2007, Claimant-Petitioner (Petitioner) challenges the refusal of the Administrative Hearings Division (AHD) to conduct a Formal Hearing in the above-referenced matter as arbitrary, capricious, unsupported by substantial evidence in the record, and not in accordance with controlling legal authority.

In *Patricia Tellish v. D.C. Public Schools*, CRB No. 07-001, AHD No. PBL 05-028A, DCP No. DCPS 007013 (February 16, 2007), the CRB held that AHD has jurisdiction over Applications for Formal Hearing pursuant to D.C. Official Code §1-623.24(b)(1) in the absence of a formal written decision issued by the Office of Risk Management within the 30-day period mandated by D.C. Official Code §1-623.24(a). Accordingly, the instant case is REMANDED to AHD for further proceedings consistent with the CRB's decision in *Tellish*. See also, *Ware v. D.C. Public Schools*,

¹ Jurisdiction is conferred upon the Compensation Review Board pursuant to D.C. Official Code §1-623.28, §32-1521.01, 7 DCMR §118, and DOES Director's Directive Administrative Policy Issuance No. 05-01 (Feb. 5, 2005).

CRB No. 07-44 (Feb. 28, 2007); *Smith v. D.C. Fire & EMS Department*, CRB No. 07-45 (Feb. 28, 2007); *Lewis v. D.C. Public Schools*, CRB No. 07-37, AHD No. PBL 03-039A (March 27, 2007); and *Estate of Mericha Blair v. D.C. Dept. of Corrections*, CRB No. 07-33, AHD No. PBL 05-121A (May 30, 2007).

IT IS SO ORDERED.

FOR THE COMPENSATION REVIEW BOARD:

E. COOPER BROWN
Chief Administrative Appeals Judge

June 19, 2007
DATE