

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Employment Services

VINCENT C. GRAY
MAYOR



F. THOMAS LUPARELLO
ACTING DIRECTOR

COMPENSATION REVIEW BOARD

CRB No. 12-042 (R)

**DENISE CALLENS,
Claimant-Petitioner,**

v.

**WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY,
Self-Insured Employer-Respondent.**

Upon Remand from the District of Columbia Court of Appeals,
DCCA No. 13-AA-425, (May 15, 2014)
AHD No. 12-012, OWC No. 682774

DEPT. OF EMPLOYMENT
SERVICES
COMPENSATION REVIEW
BOARD
2014 AUG 7 AM 11 56

Justin M. Beall for the Claimant
Sarah O. Rollman for the Self-Insured Employer

REMAND ORDER

On May 15, 2014, the District of Columbia Court of Appeals (DCCA) issued an Order in this case in which the Court held:

Even if Ms. Callens’s allegations of discrimination in a separate civil suit in federal district court could provide some basis for a finding that her alleged psychological injury was to some degree the result of discrimination, those allegations do not provide a basis for a determination without a hearing that Ms. Callens’s injury in no way “arose out of the actual working conditions of her employment.” Thus, we remand to the CRB to remand to the ALJ for an evidentiary hearing on whether Ms. Callens’s alleged injuries are compensable.

Therefore, consistent with the DCCA’s May 15, 2015 Order this case is remanded to the Office of Hearings and Adjudication for such further proceedings that are consistent with the decision of the DCCA.

FOR THE COMPENSATION REVIEW BOARD:

/s/ Lawrence D. Tarr
LAWRENCE D. TARR
Chief Administrative Appeals Judge

August 7, 2014
DATE