

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Employment Services

MURIEL BOWSER
MAYOR



DEBORAH A. CARROLL
DIRECTOR

COMPENSATION REVIEW BOARD

CRB No. 15-078

**JOHN T. CARTER,
Claimant-Petitioner,**

v.

**DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS,
Self-Insured Employer-Respondent.**

AHD No. PBL 01-036A & C, DCP No. LTRMPSJ004144

DEPT. OF EMPLOYMENT
SERVICES
COMPENSATION REVIEW
BOARD
2015 JUL 8 AM 8 58

(Decided: July 8, 2015)

LAWRENCE D. TARR, *Chief Administrative Appeals Judge*, for the Compensation Review Board.

ORDER DISMISSING APPLICATION FOR REVIEW

John T. Carter (“Claimant”) sustained multiple injuries on November 13, 1996 after he was assaulted by inmates while working as a Correctional Officer for Employer. His claim was accepted and Claimant received temporary total disability benefits and scheduled permanent partial disability benefits. On October 30, 2014, the Compensation Review Board (“CRB”) affirmed a decision by an Administrative Law Judge (“ALJ”) in the Administrative Hearings Division decision that denied Claimant’s request for continuing temporary total disability benefits beginning on November 2, 2005.

On May 11, 2015, Claimant filed the present motion, titled, as filed, “Motion To Have Compensation Review Board Issued A Notice of Determination, Continuation Of Pay, Disability Claims, Awards Under Fraternal Order Of Police And Department Of Correction’s Union Agreement With The District Of Columbia Government.”

This was the second time that Claimant filed a motion with the CRB requesting the CRB reinstate his benefits. On January 13, 2015, Claimant filed a “Motion to Reinstate Workers’ Compensation Program.” That motion was dismissed by the CRB because it lacked authority to consider it because Employer had not issued a Notice of Determination denying his claim nor had an ALJ issued a Compensation Order with respect to his claim.

As with Claimant’s previous motion, the CRB does not have legal authority to hear Claimant’s May 11, 2015 Motion. The CRB is authorized to hear appeals from decisions by the Administrative Hearings Division and the Administrative Hearings Division is not authorized to

hear claims by public sector employees unless and until Employer has issued a determination on the claim.

Therefore, we must dismiss Claimant's Motion because the CRB is not authorized to rule on it. We should further point out that the CRB does not have jurisdiction to consider any matter under a labor contract.

Claimant's "Motion To Have Compensation Review Board Issued A Notice of Determination, Continuation Of Pay, Disability Claims, Awards Under Fraternal Order Of Police And Department Of Correction's Union Agreement With The District Of Columbia Government" is **DISMISSED**.

So Ordered.