

GOVERNMENT OF THE DISTRICT OF COLUMBIA

Department of Employment Services



MURIEL BOWSER
MAYOR

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DIRECTOR

PAID FAMILY LEAVE APPEAL FORM

If you wish to appeal the attached decision from the Department of Employment Services (DOES) concerning your claim for benefits, please use the enclosed "Request for Hearing in the Office of Paid Family Leave Case" form. The **Hearing** will come before an Administrative Law Judge with the Office of Administrative Hearings (OAH). The request must be made within sixty (60) calendar days of the date of the decision that you are appealing. Please file the completed and signed request form directly with the OAH at:

Office of Administrative Hearings
441 Fourth Street NW, Suite 450 N
Washington, DC 20001

You may also submit your request form via email at oah.filing@dc.gov.

The OAH is not affiliated with DOES, and you will be able to present testimony at the hearing and may choose to be represented by an attorney at the hearing. The rules of procedure for the OAH may be found at www.oah.dc.gov and in the OAH Resource Center.

You may use this form to request **Reconsideration** of the attached decision if you wish to have a representative from DOES review your claim and issue a new determination regarding your claim for benefits. The request must be within ten (10) calendar days of the date of the decision that you are appealing. The issuing official will be a Paid Family Leave (PFL) examiner who was not involved with the initial determination made on your claim. The Reconsideration decision will be issued within ten (10) business days of the receipt of your request. You will receive appeal rights along with the Reconsideration determination, including the right to request a hearing with the OAH if you are not satisfied with the Reconsideration determination. You can only request Reconsideration once for each determination issued by DOES.

INSTRUCTIONS

1. Please submit with this form a copy of the DOES benefits examiner's determination that you are appealing.
2. You may continue to file claims forms with DOES even while your appeal is pending with the OAH or DOES.
3. Complete the following, providing your information and indicating your choice of appeal.

Please select one of the following:

____ I wish to request a **Hearing** before an Administrative Law Judge with the Office of Administrative Hearings.

____ I wish to request **Reconsideration** with DOES.

Claimant Name: _____

Social Security Number (last four digits): XXX-XX- _____

Representative (if any): _____

Claimant Address: _____

Claimant Telephone: _____

Claimant Email Address: _____

YOUR REASON FOR FILING APPEAL:

YOUR SIGNATURE: _____

DATE: _____

WHERE TO FILE: If you are requesting a **Hearing**, you MUST file a “Request for Hearing in the Office of Paid Family Leave Case” form with the Office of Administrative Hearings by mail, in person, or by email.

By Mail or In Person: You may file a hearing request form in person, weekdays between 9:00 a.m. and 5:00 p.m., or by mail at the following address. You will need photo identification to enter the building:

Office of Administrative Hearings
One Judiciary Square
441 Fourth Street, NW - Suite 450 North
Washington, DC 20001-2714

By Email: You may file a hearing request form by email to OAH.FILING@DC.GOV. Please attach a scanned copy of the DOES determination that you are appealing.

If you are requesting **Reconsideration**, you MUST file your appeal directly with DOES via the online portal, by mail, in person, or by email. Any evidence that you wish DOES to consider should be submitted along with your request.

Online Portal: You are encouraged to file an appeal using the DOES online portal. The portal may be accessed at <https://does.pflbas.dc.gov/>

By Mail or In Person: You may file an appeal in person, weekdays between 9:00 a.m. and 5:00 p.m., or by mail at the following address. You will need photo identification to enter the building:

Department of Employment Services
Office of Paid Family Leave
4058 Minnesota Avenue, NE
Attn: Appeals Unit - Suite 4500
Washington, DC 20019

By Email: You may file a request for Reconsideration by email to opfl.appeals@dc.gov. Please attach a scanned copy of the DOES determination that you are appealing.

APPEAL DEADLINE:

If you are requesting a **Hearing** with the OAH, your appeal must be either postmarked by the U.S. Postal Service or actually received by the OAH within sixty (60) calendar days of the date of the DOES determination that you are appealing.

If the 60-day period filing deadline falls on a Saturday, Sunday, or legal holiday, the deadline is extended to the next business day. The appeal deadline may be extended if an Administrative Law Judge finds “good cause” or “excusable neglect” for a delay. The person filing the appeal bears the burden of proving at the hearing that there was a good reason for the delay. **If you file a request for a hearing late without a good reason, then your case may be dismissed.**

If you are requesting **Reconsideration**, your request must be entered on the online portal, postmarked by the U.S. Postal Service, or actually received by DOES within ten (10) calendar days of the date of the DOES determination that you are appealing.

If the 10-day filing deadline falls on a Saturday, Sunday, or legal holiday, the deadline is extended to the next business day. The appeal deadline may be extended if DOES finds “good cause” or “excusable neglect” for a delay. The person filing the appeal bears the burden of proving that there was a good reason for the delay. **If you file a request for Reconsideration late without a good reason, then your request may be dismissed.**