

What HAA looks for from LAA in the Record

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Georgia Board of Review

- Georgia's Board of Review consists of three Board Members who are appointed by the Governor.
- Georgia's Board of Review Staff consists of one Chief, one Supervisor, five permanent Review Officers and an Administrative Support Staff.
- The Chief, the Supervisor, two Review Officers and two Administrative Support Staff members have Lower Authority experience in the Appeals Tribunal.

National HAA Workloads January-December 2014

1. Texas	16,492
2. California	15,394
3. Pennsylvania	12,634
4. Illinois	10,513
5. Georgia	6,982

Georgia's Board of Review had the 5th highest workload in nation.

- USDOL Region III Workloads
January-December 2014

1.	Georgia	6,982
2.	Florida	6,634
3.	North Carolina	6,441
4.	Tennessee	3,567
5.	Mississippi	3,563
6.	Kentucky	3,437
7.	Alabama	3,419
8.	South Carolina	1,968

What HAA Looks for from LAA

The Basics

- Does the Administrative Hearing Officer adhere to the tenets of the ET 382 Handbook?
- Does the conduct of the Administrative Hearing Officer during the hearing pass “the smell test?”
- At a minimum, are the ET 382 Handbook’s Critical Fair Hearing and Due Process elements being met?
- Legal and Technical Accuracy

Examples of Problem Cases (or, why we remand/reverse)

The Administrative Hearing Officer:

- Asks a question(s) but does not provide time for the person to answer.
- Fails to ask follow up questions to fully develop the record on critical elements of the case.
- Fails to control the hearing during cross examination. Allows “coffee klatch” conversations or bullying.
- Fails to place parties “at ease.” Smell test rule: rude, hurried, biased, argumentative, condescending, etc.
- Fails to rule on correct section of the law, misquotes issues or fails to rule on the correct claim’s examiner determination. Due process issues concerning right to present evidence or witnesses.
- Decision based on incorrect findings of facts or the law.
- Rules of evidence misapplied or not applied.