Massachusetts Department of Workforce Development
Division of Unemployment Assistance

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF WORKFORCE DEVELOPMENT
BOARD OF REVIEW
19 Staniford Street
Boston, MA 02114

Board of Review
Docket Number: _____

APPEAL TO THE BOARD OF REVIEW FROM A DECISION OF THE COMMISSIONER FOR THE DIVISION OF UNEMPLOYMENT ASSISTANCE

Appeal filed by: ☐ Claimant ☐ Employer ☐ D.U.A.

Local Office No.: _____
Hearings Region: _____
BYE: _____

Claimant's Name: _____ (print)

Address: _____

City or Town: _____ State: _____ Zip Code: _____

Telephone No.: (_____) _____ (area code) Soc. Sec. No.: _____

Employer's Name: _____ (print)

Address: _____

City or Town: _____ State: _____ Zip Code: _____

Telephone No.: (_____) _____ Employer No.: _____

D.U.A. Contact: _____

I appeal from the decision of the Commissioner issued on _____ (date) in Hearings Docket Number_____ .

I believe the decision was in error for the following reasons: (Please state specifically and in detail the reasons for your appeal. Use additional sheets if necessary.)

Signed By: _____ (appealing party) _____ (date)

If the appeal is filed by an attorney or agent for the claimant or the employer, please provide the following information:

Name of Attorney or Agent: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No.: (_____) _____

FOR OFFICE USE ONLY
TO BE COMPLETED BY A DUA REPRESENTATIVE WHO RECEIVES THIS APPEAL FORM

Hearings decision mail date: _____

Twenty-first calendar date from date of appeal: _____

Date of appeal: _____

Appeal received by: _____ (full name of DUA representative)

Appeal received at:

☐ Local Office No. _____
☐ Hearings Dept.
☐ Board of Review
☐ Administrative Office _____ (specify name of dept.)
☐ Other

☐ By Mail
☐ By Hand

Copy to: Board of Review
Hearings Department
Local Office

Form 1801 Rev. 01-07

(SEE REVERSE SIDE FOR APPEAL RIGHTS INFORMATION)

IMPORTANT
This notice contains information about your rights or obligations, and should be translated immediately. If you need a translator, ask for a listing of translation services at your DUA office.

ВАЖНОЕ СООБЩЕНИЕ
В этом сообщении содержится информация о Ваших правах и обязанностях, и оно должно быть срочно переведено Вам. Если Вам нужен переводчик, попросите список переводческих компаний в своем DUA офисе.

IMPORTANTE
Este aviso incluye información sobre sus derechos y obligaciones, y debe traducirse de inmediato. Si necesita un traductor, solicite el listado de servicios de traducción en la oficina de la DUA correspondiente.

IMPORTANTE
Questo avviso contiene informazioni sui Suoi diritti ed obblighi e deve essere tradotto immediatamente. Se ha bisogno di un traduttore, chieda l'elenco dei servizi di traduzione presso la DUA.

IMPORTANTE
Este comunicado contém informações sobre os seus direitos ou obrigações. Ele deve ser traduzido prontamente. Se precisar de um tradutor, solicite no escritório DUA mais próximo uma lista dos serviços de tradução.

ສຳຄັນ
ຄຳແຈ້ງສະບັບນີ້ປະກອບດ້ວຍລາຍລະອຽດຕ່າງ ໆ ກ່ຽວກັບສິດທິຂອງທ່ານ, ແຂ້ງຄວນໄດ້ຮັບການແປໂດຍທັນທີ.ໃນ ຖ້າທ່ານຕ້ອງການໃຊ້ຜູ້ແປພາສາ, ໃຫ້ຂໍລາຍການບໍລິການແປພາສາທີ່ມີໄວ້ໃຫ້ໃ ຊ້ໃນຫ້ອງການ DUA ຂອງທ່ານ.

** សំខាន់**
លេខកូដជូនដំណឹងនេះ មានពត៌មានស្តីអំពីសិទ្ធិ ឬ កាតព្វកិច្ចរបស់អ្នក ។ សូមអណ្តាតបកប្រែឯកសារនេះ ជាបន្ទាន់ ។ ប្រសិនបើអ្នកត្រូវការអ្នកបកប្រែ សូមរកមើលបញ្ជីឈ្មោះកន្លែងផ្តល់សេវាកម្មបកប្រែ ដែលមាននៅការិយាល័យ DUA របស់អ្នក ។

ENPÒTAN
Nòt sa a genyen enfòmasyon sou dwa w oubyen obligasyon ke ou genyen, epi ou fèt pou ou fè tradwi l kounyè a. Si ou bezwen on moun ki pou tradwi pou ou, mande on lis ki genyen sèvis ke yo ofri pou tradiksyon nan biwo DUA ke ou konn ale a.

QUAN TRỌNG
Thông báo này bao gồm thông tin về quyền hạn hoặc trách nhiệm của quý vị và phải được thông dịch ngay. Nếu cần một thông dịch viên, hãy yêu cầu một danh sách dịch vụ thông dịch tại văn phòng DUA của quý vị.

重要
本通知包含有關閣下權利或義務的資訊, 應即刻翻譯。如果閣下需要翻譯人員, 請到閣下的DUA辦事處要求一份翻譯社的名單。

NOTICE OF APPEAL RIGHTS

Section 40. A claimant or interested party may, within thirty days after mailing to him of notice of the decision, file an application for a review of such decision by the board of review.

Section 41. (a) Unless such application for review is withdrawn, the board of review shall make a preliminary examination of the record of the hearing afforded by the commissioner, along with the findings of fact and the decision, and shall, in its discretion, grant or deny the application for review. The board may appoint one or more examiners, selected in accordance with section nine K of chapter twenty-three, to conduct such preliminary examinations and recommend to the board either a grant or denial of the application for review. Such application for review must be granted or denied by the board no later than twenty-one days after an appeal is filed, and a copy of its decision shall be mailed to all parties. If the board does not render such a decision within such twenty-one day period, the application for review shall be deemed to be denied upon the twenty-first day.

(b) If a review is granted, the board shall inquire whether the commissioner's decision was founded on the evidence in the record and was free from any error of law affecting substantial rights. Before rendering its decision, the board may remand the case to the commissioner for taking of such additional evidence as the board deems necessary or may itself take evidence at a hearing. The conduct of such evidentiary hearings upon remand and before the board shall be in accordance with the procedures prescribed by and pursuant to subsection (b) of section thirty-nine. The board shall make every reasonable effort to issue a decision within forty-five days after granting an application for review. The board shall promptly give notice to the parties of its decision, together with the finding and reasons therefor, by mailing to each party at his last known address a copy of such decision and reasons. In lieu of mailing, such copy may be delivered. No member or representative of the board of review shall participate in any case in which he has an interest. Benefits shall be paid promptly or denied in accordance with the decision of the board. Unless action is taken under section forty-two, the decision of the board shall be final on all questions of fact and law.

(c) If the application for review is denied, the decision of the commissioner shall be deemed to be the decision of the board of review for the purpose of judicial review as provided in section forty-two, and shall be subject to judicial review within the time and the manner provided for with respect to decisions by the board, except that the time limitation shall run from the date of mailing of the notice of the order of the board denying the application for review.

(d) In matters referred to it pursuant to subsection (d) of section thirty-nine, unless the request for hearing is withdrawn, the board of review shall afford the parties reasonable opportunity for fair hearing and shall affirm or modify the findings of fact and determinations of the commissioner or his authorized representative. Benefits shall be paid promptly or denied in accordance with the decision of the board.

Section 42. The commissioner or any interested person aggrieved by any decision in any proceeding before the board of review may obtain judicial review of such decision by commencing within thirty days of the date of mailing of such decision, a civil action in the district court within the judicial district in which he lives, or is or was last employed, or has his usual place of business, and in such proceeding, every other party to the proceeding before the board shall be made a defendant. If an appeal to the board of review is deemed denied pursuant to subsection (a) of section forty-one because the board failed to act upon such appeal, judicial review may be obtained by commencing a civil action as prescribed in the preceding sentence, except that the time for commencing such action shall run from the date such appeal is deemed denied . . .

ADDITIONAL INFORMATION

If you did not receive your decision within thirty days after it was mailed to you by the Division of Unemployment Assistance (DUA), you should file your appeal immediately and explain when you actually received the decision.

You have a right to be represented by counsel. If you cannot afford one, you may be entitled to representation by a legal services office in your community or the local bar association.

The Board of Review has twenty one days from the date of your appeal to decide whether to review your case. The Board is not required to allow every appeal. Therefore, it is very important that your appeal explain why you think the decision of the Commissioner was in error and why the Board of Review should take the appeal.

Please return the completed form by mail of fax to:

Board of Review
C. F. Hurley Building
19 Staniford Street, 1st Floor
Boston, MA 02114
Tel: 617-626-6400
Fax: 617-727-5874

(OVER)