



DEPARTMENT OF
LABOR

DIPĀTTAMENTON HOMOTNĀT • David M. Dell’Isola, Director • Gerard A. Toves, Deputy Director

Lourdes A. Leon Guerrero
Governor

Joshua F. Tenorio
Lieutenant Governor

FURTHER PUA/FPUC/LWA RIGHTS FOR REOPENING OR JUDICIAL APPEAL

Deadlines:

There are two important deadlines after the appeals officer/referee has issued his or her written decision about your appeal of Guam Department of Labor (GDOL) determination of disqualification and/or overpayment of Pandemic Unemployment Assistance (PUA), Federal Pandemic Unemployment Compensation (FPUC) and/or Lost Wage Assistance (LWA) benefits. First, if you or a party did not attend an appeals hearing and would like to have that hearing be reopened so that you or the party can provide testimony, documents, and witnesses, then you have **30 days** from the decision's mailing date to file a request for reopening with the GDOL’s PUA/FPUC/LWA Appeals Office. Secondly, if you disagree with the appeals hearing officer/referee's written decision, you have **30 days** from the decision's mailing date to appeal that decision by filing a petition for writ of mandate in the Superior Court of Guam pursuant to 5 G.C.A. §9241. The appeals officer/referee’s decision otherwise becomes final and conclusive.

Further Appeal Rights:

- 1. Reopening request:** A party may apply for a reopening (reconsideration) only once. Your request must be in writing, and filed with the GDOL’s PUA/FPUC/LWA Appeals Office. The address and contact information for the Appeals Office is the following:

Department of Labor

Tel: (671) 475-7044

Appeals Hearing Officer/Referee Office

Fax: (671)475-6811

414 Soledad Ave.,

E-mail: pua.appeals@dol.guam.gov

GCIC Bldg. 4th Floor, Suite 400

Hagatna, Guam 96910

You must demonstrate sufficient good cause to reopen an appeal in your request. The same appeals hearing officer/referee who presided over the original appeal will review your reopening request, and may grant or deny the request with or without further hearing.

If you do not wish to request reopening by the Appeals Office or if your reopening application is denied, you may file a judicial appeal to the Superior Court of Guam as set forth below.

2. **Judicial appeal:** A party may seek judicial review of the appeals officer/referee's written by filing a petition for a writ of mandate in the Superior Court of Guam. You must file your judicial appeal within 30 days from the mailing date of the appeals officer/referee's written decision, or if a reopening request was filed, within 30 days from the mailing date of the appeals officer/referee's written reopening decision. *See e.g.*, 5 G.C.A. §9241.

After the appealing party provides the PUA/FPUC/LWA Appeals Office with a copy of the notice of judicial appeal or notice of petition for writ of mandate pursuant to 5 G.C.A. §9241 requirements, the PUA/FPUC/LWA Appeals Office will prepare the record and transmit it to the claimant and the GDOL may transmit the same to the Superior Court for review.

PUA/FPUC/LWA Appeals Office staff--other than the appeals hearing officer/referee who conducted your hearing--can answer general questions, but cannot provide you or parties with legal advice or explain court rules and requirements. Please contact your local Superior Court of Guam or an attorney for assistance if you have questions about the judicial appeal process.