



## Washington State Office of Administrative Hearings

We independently resolve administrative disputes through accessible, fair, prompt processes and issue sound decisions.

### How to Prepare for Your Unemployment Hearing

When a person or business disagrees with a decision made by the Employment Security Department (ESD), the Office of Administrative Hearings (OAH) will hear and decide the dispute. The judge who hears your case is neutral and not employed by ESD.

Your hearing will be held by telephone. Follow the detailed instructions in the enclosed Notice of Hearing to participate.

Hearings and decisions are in English. If you or any of your witnesses need an interpreter, please contact OAH as soon as possible to request one.

If you need an accommodation to participate, please contact OAH as soon as possible.

**To see a video example of a hearing, visit our website at [www.oah.wa.gov](http://www.oah.wa.gov)**

Offered in English and Spanish

**Contact OAH at (509) 456-3975 or (800) 366-0955**

### How to Prepare for Hearing

Enclosed are the Notice of Hearing and a packet of information. Read these documents carefully. You should have these documents with you during the hearing.

#### Exhibits

- If you have more documents you want the judge to see, you must immediately send them to the judge and all other parties listed in the Notice of Hearing. Do not wait to submit your documents.
- OAH will not send additional documents to the other parties. If you do not follow these instructions, your documents may not be considered.
- Please remove any confidential information before sending documents to the judge (such as Social Security numbers, bank account numbers, driver's license numbers, etc.).
- Video or audio exhibits:
  - Must be on a CD, DVD or thumb drive (which will not be returned to sender).
  - File type must be supported by Windows Media Player (MP3 or MP4).
  - Will not be accepted by email.
  - Must be received by all parties at least 24 hours prior to hearing.

#### Research

If you are interested in doing more research on the laws that apply to your case, the Revised Code of Washington (RCW) and the Washington Administrative Code (WAC) are available at [www.oah.wa.gov](http://www.oah.wa.gov).



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### Rescheduling

- The hearing date will be changed only if there is an important reason to do so. Call OAH as soon as possible. You will speak with a judge to explain why you want the hearing date changed. The judge may grant or deny your request. If you have other things that conflict with the hearing date, try to reschedule those things first.

### Witnesses

- If you want witnesses to participate, you will need to give them the instructions on your Notice of Hearing.

### Representation and Legal Resources

Most people who attend unemployment hearings represent themselves. You may choose to have a lawyer, a friend or a family member represent you. The state will not pay for your lawyer. Free or low-cost legal services may be available to you.

You may consult the following for legal assistance:

Resource Name	Phone	Website
Unemployment Law Project	888-441-9178	<a href="http://www.unemploymentlawproject.org">www.unemploymentlawproject.org</a>
Washington State Bar Association	800-945-9722	<a href="http://www.wsba.org">www.wsba.org</a>
CLEAR	888-201-1014	<a href="http://www.washingtonlawhelp.org">www.washingtonlawhelp.org</a>

### What Happens at a Hearing?

A hearing usually lasts between 45 and 60 minutes. When the hearing begins, the judge will describe the case and the hearing process. The judge will ask everyone to identify themselves. The hearing will be recorded. The judge will decide who will get to talk first and in what order. All parties will have a chance to tell their side of the story. The judge may ask questions. The judge will consider two types of evidence: testimony and exhibits.

The judge will make a decision based on the evidence presented. The decision will be mailed to you.

The hearing is your only opportunity to tell your story and share your documents. If you requested the hearing but do not participate, your hearing request will be dismissed. ESD's decision will remain in effect.

If you disagree with the judge's decision, you have a right to file an appeal with the Commissioner's Review Office. This type of appeal is called a Petition for Review. The judge will include Petition for Review instructions with the decision that is mailed to you. The deadline to file your Petition for Review will also be on the decision.

**See other frequently asked questions at [www.oah.wa.gov](http://www.oah.wa.gov)**