

.01 Office of Appeals Responsibilities - Hearing Scheduling

Hearings must be scheduled to allow for a decision to be rendered within 90 days from the hearing request. Hearings are scheduled not fewer than 20, nor more than 45, calendar days from the date the request is filed.

The appellant or representative may request less than 20 calendar days notice in order to expedite the hearing.

Hearings are held in regular hearing locations. These locations are established to be convenient for all involved parties.

Hearings may be conducted by phone when mutually agreed on by the appellant and the Office of Appeals. The appellant is afforded the same rights as appellants who attend face-to-face hearings.

When the hearing is scheduled to be conducted by telephone at a location other than an FAA local office, the Office of Appeals provides the appellant with both of the following:

- Notice of Hearing.
- A copy of the fair hearing packet.

NOTE FAA provides the appellant with a copy of the fair hearing packet when requested to do so by the Office of Appeals. The fair hearing packet may not be available to the Office of Appeals at the time the Notice of Hearing is sent.

NA EXCEPTION

FAA must ensure that within 60 calendar days from receipt of the hearing request, both of the following occur:

- The hearing is conducted
- A decision is rendered

Scheduling and conducting hearings for budgetary units that plan to move from the jurisdiction of the hearing office location before a decision would normally be reached are given priority. This enables the appellant to receive a decision and restored benefits (as applicable) before leaving the area.

The Office of Appeals is responsible for obtaining professional language interpreters to assist in the hearing proceedings, when needed.