

CASE NO. 6224 CRB-5-17-10
CLAIM NO. 500144236 : COMPENSATION REVIEW BOARD

DAVID M. ROAIX
CLAIMANT-APPELLANT : WORKERS' COMPENSATION
COMMISSION

v.

STOP & SHOP : OCTOBER 24, 2017
EMPLOYER
SELF-INSURED

and

MAC RISK MANAGEMENT/AHOLD USA
ADMINISTRATOR
RESPONDENTS-APPELLEES

REMAND ORDER

The claimant filed a Petition for Review on October 2, 2017 from the trial commissioner's September 22, 2017 ruling granting the Form 36 filed on August 25, 2017. The ruling was issued as the result of an informal hearing wherein it appears no record exists. Due process requires an evidentiary hearing where a record can be created. Absent a record, this board cannot properly consider an appeal pursuant to Sec. 31-301(a).

The matter is therefore remanded to the trial commissioner for a Formal Hearing or other appropriate action. See, Passalugo v. Guida-Seibert Dairy Company, 5796 CRB-6-12-11 (November 27, 2012), Chung v. TTM Technologies, Inc., 5675 CRB-2-11-8 (August 23, 2011).

John A. Mastropietro, Chairman
Compensation Review Board
Workers' Compensation Commission