



Issue date: 01Oct2001

OALJ Case No. 2001-JTP-00002
JTPA Grant No. 96794K1

In the Matter of:

HITEK LEARNING SYSTEMS, INC.,

Appellant,

v.

**SOUTH CAROLINA EMPLOYMENT
SECURITY COMMISSION,**

and

**GRANT OFFICER,
UNITED STATES DEPARTMENT OF LABOR,
EMPLOYMENT AND TRAINING ADMINISTRATION,**

Respondents.

NOTICE OF DOCKETING
AND
ORDER DIRECTING BRIEFS ON JURISDICTION

On September 21, 2001, the U.S. Department of Labor, Office of Administrative Law Judges, received a filing entitled "Request for Hearing and Appeal from Final Determination" from Hitek Learning Systems, Inc.¹ The jurisdictional basis for this office to conduct a hearing on Hitek's complaint, however, is not clearly stated in the filing.

Evidently, Hitek is seeking a hearing based on the "Complaints, Investigations and Hearings" regulations at 20 C.F.R. Part 636. *See* Hitek's Hearing Request at p 6, ¶ 15, citing 20 C.F.R. § 636.8. There is no indication in the filing, however, that a proceeding under 20 C.F.R.

¹Hitek's attorney included a check to cover any filing fee. The check has been returned, however, as the Office of Administrative Law Judges does not have the authority to collect filing fees in JTPA cases.

§§ 636.6 and 636.8, preceded the Hitek's filing of this hearing request. Thus, it appears that this matter may not be properly before this office at this time.

Accordingly, the parties are **ORDERED** to file statements of position stating whether the Office of Administrative Law Judges has the authority to conduct a hearing in this matter. The statements of position should be filed no later than fifteen days from the date of this Notice of Docketing and Order Directing Briefs on Jurisdiction.

THOMAS M. BURKE
Associate Chief Administrative Law Judge