

**5210.0573 PARTY STATUS.**

Subpart 1. **Affected employees and authorized representatives.** If a notice of contest is timely filed by an employer, affected employees or authorized employee representatives may participate as parties in the contested case proceeding by filing a notice of intent to participate as a party at least 45 days before the starting date of the hearing. The notice of intent to participate as a party must contain the name, address, and representative, if any, of the affected employee or authorized employee representative requesting party status and a statement that the person identified is an affected employee or authorized employee representative of affected employees of the cited employer. The notice shall be filed with the commissioner or the administrative law judge if one has been assigned to the proceeding and served upon all parties at the time of filing.

Subp. 2. **Employers.** If a notice of contest is timely filed by an employee or by an authorized employee representative, the cited employer may participate as a party in the contested case proceeding by filing a notice of intent to participate as a party at least 45 days before the starting date of the hearing. The notice of intent to participate as a party must contain the employer's name, address, and representative, if any. The notice must be filed with the commissioner or the administrative law judge, if one has been assigned to the proceeding, and served upon all parties at the time of filing.

Subp. 3. **Objection to notice of intent to participate as party.** A party to the contested case proceeding may file a written objection to a notice of intent to participate as a party on the grounds that the person requesting party status is not an affected employee, an authorized employee representative of affected employees, or the cited employer, or that the notice does not comply with the requirements of this subpart. The objecting party shall file the written objection with the commissioner or with the administrative law judge, if one has been assigned to the proceeding, and serve the written objection upon all other parties and upon the person requesting party status. The written objection must be filed and served within ten days after the date the notice of intent to participate as a party was filed and served upon the parties. If no written objection to the notice of intent to participate as a party is filed and served within ten days after the date the notice was filed and served upon the parties, the person requesting party status shall become a party to the proceeding. If a written objection is filed by a party with the commissioner, the commissioner shall immediately request that an administrative law judge be assigned to the proceeding and refer the notice and the objection to the assigned administrative law judge for a determination of party status.

Subp. 4. **Intervention by other persons.** Intervention by other persons may be granted by the administrative law judge according to part 1400.6200.

**Statutory Authority:** *MS s 182.657*

**History:** *20 SR 2428*

**Published Electronically:** *June 11, 2008*