

3310.2905 NOTICE OF APPEAL.

Subpart 1. [Repealed, L 2004 c 206 s 53]

Subp. 2. **Information.** The notice of appeal must also include the following information:

A. A statement that a hearing will be scheduled promptly, and that the parties should begin to prepare for the hearing.

B. A statement of the parties' right to represent themselves or to be represented by an attorney or other duly authorized representative.

C. A brief description of the procedure to be followed at the hearing.

D. A statement that the parties should bring to the hearing all documents, records, and witnesses they need to support their position.

E. A statement that a party may request the witnesses and documents that another party intends to bring to the hearing, and an explanation of the process for making the request.

F. A statement that subpoenas may be available to compel the attendance of witnesses or the production of documents, and an explanation of the process for requesting a subpoena.

G. A statement that documents contained in the department's records that will be introduced at the hearing as exhibits are available upon request, and an explanation of the process for making the request.

H. If a decision issued under Minnesota Statutes, section 268.105, subdivision 1, paragraph (c), could result in an applicant being overpaid unemployment benefits, the notice must contain the following statement:

"You have already received unemployment benefits on your benefit account. It is important for you to attend this hearing even if you are back to work and not receiving unemployment benefits now, because if you lose the appeal, you will not be able to receive further unemployment benefits and you will have to pay back all the unemployment benefits you have already received. These unemployment benefits are called overpaid unemployment benefits and they could be deducted from your state income tax refund, rent credit refund, or from a future benefit account."

Statutory Authority: *MS s 14.386; 14.388; 268.021; 268.10*

History: *12 SR 2252; L 2004 c 206 s 53; 31 SR 285; 33 SR 999*

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