

3310.2908 RESCHEDULING.

Requests to reschedule a hearing must be addressed to the appeals office in advance of the regularly scheduled hearing date. The request may be made in person, by telephone or other electronic transmission, or in writing. Unless a determination is made by the appeals office that a request to reschedule a hearing is made for the purposes of delay, a hearing must be rescheduled by the appeals office based on a party's need for additional time to obtain necessary evidence or to obtain representation or adequately prepare, inability to be present at the regularly scheduled time due to illness, other judicial or quasi-judicial proceedings that have previously been scheduled, or other compelling reasons beyond the control of the party that prevent attendance at the originally scheduled time. A hearing may be rescheduled only once except in the case of an emergency. If requested by the appeals office, a written statement by mail or electronic transmission confirming the reasons for requesting that the case be rescheduled must be provided to the appeals office by the requesting party.

Unless a determination is made by the unemployment law judge that a request to reschedule a hearing is made for the purpose of delay, a judge who has been assigned a case for hearing must reschedule a hearing at the request of a party provided grounds for rescheduling have been established. The failure of subpoenaed witnesses to appear at the hearing or the failure to produce subpoenaed documents may constitute grounds for rescheduling.

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

History: *12 SR 2252; 31 SR 285; 33 SR 999*

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