

3310.2908 RESCHEDULING AND CONTINUANCES.

Subpart 1. **Rescheduling.** Requests to reschedule a hearing must be addressed to the chief unemployment law judge in advance of the regularly scheduled hearing date. The request may be made in person, by telephone or other electronic transmission, or by mail. A hearing must be rescheduled based on a party's need for additional time to obtain necessary evidence or to obtain representation or adequately prepare, inability to participate due to illness, or other compelling reasons beyond the control of the party that prevent participation at the originally scheduled time. A hearing may be rescheduled only once by each party except in the case of an emergency. If requested, a written statement by mail or electronic transmission confirming the reasons for requesting that the case be rescheduled must be provided to the chief unemployment law judge.

The ten-calendar-day notice requirement for hearings does not apply to rescheduled hearings.

Subp. 2. **Continuances.** If a request for rescheduling is made because of the unavailability of a witness or the need to obtain documents, the unemployment law judge may direct that the hearing take place as scheduled. After obtaining the testimony and other evidence then available, the unemployment law judge must determine whether the hearing should be continued to obtain the testimony of the unavailable witness or the unavailable documents. The ten-calendar-day notice requirement for hearings does not apply to continued hearings.

The unemployment law judge has the discretion to continue a hearing if the judge determines that additional evidence is necessary for a proper result.

Statutory Authority: *MS s 14.386; 14.388; 116J.035; 268.021; 268.10; 268.105*

History: *12 SR 2252; 31 SR 285; 33 SR 999; 39 SR 151*

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