

5500.1700 HEARINGS.

All hearings before the labor referee shall be conducted in conformity with the following rules:

A. All hearings before the labor referee shall be open to the public. It shall be the duty of the labor referee conducting the hearing to inquire fully into the facts in dispute, to call, examine, and cross-examine witnesses, and to require the production of such documentary or other evidence as the referee may deem necessary to fully acquaint him with all the facts relating to the dispute.

B. Any party in interest to the proceeding shall have the right to appear at such hearing in person, by counsel or representative and to call, examine, and cross-examine witnesses and to introduce into evidence such documentary or other evidence as the labor referee may deem admissible. In such proceeding the parties thereto shall be permitted to introduce only competent evidence, as defined in Minnesota Statutes, section 179.01, subdivision 12.

C. At any such hearing the parties to the dispute may enter into stipulation of facts which shall have the same weight as though evidence had been adduced to prove the same.

D. Any objection with respect to the conduct of the hearing, including any objection to the introduction of evidence, shall be stated orally, together with a statement of the grounds of such objection, and included in the stenographic report of the hearing, if one is kept. No objection shall be deemed waived by further participation in the hearing.

E. The labor referee may adjourn the hearing from day to day or from time to time and from place to place as the referee may deem proper upon appropriate notice thereof to the parties to said proceeding.

F. At the close of the hearing the parties to the proceeding shall be entitled to submit the matter on either oral or written arguments as the labor referee may determine. When permission for oral argument is granted, the labor referee shall fix the length thereof, and such argument shall not be included in the stenographic record of the hearing unless it is so directed by the labor referee. If the matter is submitted on written argument, the labor referee shall fix the time for the filing thereof by the respective parties to the proceeding.

G. All or any part of the testimony of any witness may be disregarded by the referee, if said witness shall refuse to answer any question which the referee has ruled to be a proper one.

H. The record in the proceedings shall consist of the order appointing the labor referee, the notice of hearing, proof of service of such notice of hearing upon the parties to the proceeding, the objections of any person to the proceedings, the rulings thereon, all stipulations between the parties, exhibits, documentary evidence, depositions, findings of

fact and conclusions, if such are made, the stenographic notes or record, if kept, and the determination of the jurisdictional controversy by the labor referee.

Statutory Authority: *MS s 179A.04*

History: *17 SR 1279*

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