

5510.5460 CONSOLIDATION.

Subpart 1. **Basis for consolidation.** The commissioner may consolidate cases if the commissioner determines that:

- A. separate grievances present the same issues;
- B. a decision in one case would affect the rights of a party in another case; and
- C. consolidation would not prejudice any party.

Subp. 2. **Stipulating to consolidation.** Notwithstanding subpart 1, the parties may stipulate and agree to consolidation. A stipulation under this subpart must be in writing and filed with the commissioner and is subject to commissioner approval according to subpart 1.

Subp. 3. **Order of consolidation.** The commissioner must serve on all parties any order of consolidation under subpart 1 or 2.

Subp. 4. **Severance from consolidation.**

A. Within seven calendar days of receiving an order of consolidation, a party may file with the commissioner a written petition for severance from consolidation. The petition must explain why the requirements of subpart 1 were not met.

B. Upon receiving a petition under item A, the commissioner must approve or disapprove the petition after determining whether the requirements of subpart 1 were met.

C. The commissioner must serve on all parties the commissioner's determination under item B.

Statutory Authority: *MS s 14.06; 179.02; 179.82; 179A.04; 179A.05; 179A.16; 179A.25; 626.892*

History: *8 SR 293; 15 SR 2107; 46 SR 1387*

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