

9800.0450 COMMENCEMENT OF APPEALS.

Subpart 1. **Filing notice of appeal.** An appeal from a decision of a compensation judge is initiated by filing a notice of appeal containing the information required by Minnesota Statutes, section 176.421, subdivision 3, with the office. An appeal from a decision of a department mediator is initiated by filing a notice of appeal containing the information required by Minnesota Statutes, section 176.421, subdivision 3, with the commissioner. An appeal from a decision of a collective bargaining agreement arbitrator is initiated by filing a notice of appeal containing the information required by Minnesota Statutes, section 176.421, subdivision 3, with the court. The notice of appeal must be filed within 30 days of the filing of the decision being appealed. A single extension of up to 30 days may be obtained upon application to the court. The request for an extension must be filed within the 30-day period for filing the notice of appeal and must show good cause to grant the extension. A respondent may cross appeal within the same 30-day period or within 15 days after service of the notice of appeal on that respondent, whichever is later.

Subp. 1a. **Preparation of transcript.** A written transcript of the record must be prepared when required by Minnesota Statutes, section 176.421, subdivision 3, unless otherwise ordered by the court. An application for an order under this subpart must conform to the requirements of part 9800.1400.

Subp. 2. **Notice of receipt of transcript.**

A. The court shall notify the parties of the date that the transcript was received. The notice must also inquire whether the parties desire an oral argument and, if so, whether parties prefer oral argument before the entire court or a three member panel.

B. Parties must file a response within ten days after the notice is served on the parties. Failure to file a timely response is considered a waiver of oral argument.

Statutory Authority: *MS s 175A.07; 176.2611; 176.285; 176.361*

History: *10 SR 698; 13 SR 981; 19 SR 1131; 49 SR 1107*

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