

**2012 Administrative Rule
Preliminary Proposal Form**

Revisor's ID Number: 4207

Submitting Agency: Department of Employment & Economic Development

Date: July 31, 2013

Rule Contact: Christine Hinrichs

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Type of Rule (must be one of the following):

Exempt Expedited Permanent

Title: (Short descriptive title)	Proposed Permanent Rules Relating to Unemployment Insurance; Modifying Appeals, Employer Records, and Worker Status Provisions
Chapter Number(s):	3310, 3315
Supporters, opponents and possible controversies:	None
Agency impact:	Updates and modernizes rules on unemployment insurance hearings conducted by unemployment law judges. Unemployment law judges conduct approximately 30,000 hearings on unemployment insurance benefits and unemployment insurance taxes annually.
If Exempt or Expedited rule process is being used please explain why:	Not applicable.
Describe the need for the rule and provide background information:	<p>The proposed amendments and repeal to the rules are necessary primarily to provide clarity and consistency within the rules and the relevant governing statutes.</p> <p>The proposed amendments are also necessary to update the rules in light of the Department's current practices, the Department's expanded use of the online system for providing notices, scheduling hearings, and providing access to documents, the fact that nearly all appeal hearings are conducted by telephone, and the financial constraints of the Department.</p> <p>The proposed amendments to the procedures governing appeals are also necessary in order to offer guidance to participants in the appeal process and to ensure that the rules adequately explain the existing procedures. In many places in the current rules, the process is detailed only up to a certain point, which can cause confusion or surprise for participants. The Department aims to completely explain the process and procedure for appeals hearings with these amendments.</p> <p>The proposed amendments and repeal to the rules related to record-keeping requirements are for the purpose of alleviating the burden on employers. The current rules require that employers keep many more records than the</p>

	Department actually uses. The changes to the rules would eliminate unnecessary mandates for employers.
Rulemaking authority and other relevant statutes:	Minnesota Statutes, section 268.105, subdivision 1(b) (2012) (specific authority); Minnesota Statutes, section 116J.035, subdivision 2 (2012) (general authority); Minnesota Statutes, section 14.388 (2012).

Fiscal Impact:

Yes

No

Undetermined

H. Clark Sieben

Commissioner's Signature

Aug. 2, 2013

Date

*** THIS SECTION TO BE COMPLETED BY THE GOVERNOR'S OFFICE***

I have reviewed the above information and approved the concept of this administrative rule.

Governor's Policy Advisor

Date