

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of the Proposed Amendment to and Repeal of Rules of the Minnesota Department of Employment and Economic Development Relating to Unemployment Insurance; Modifying Appeals, Employer Records, and Worker Status Provisions; Minnesota Rules parts 3310 and 3315

**ORDER ON REVIEW OF RULES
DEEMED SUBSTANTIALLY DIFFERENT
UNDER MINN. STAT. § 14.26 AND
MINN. R. 1400.2110**

The Department of Employment and Economic Development (Department) sought review and approval of the above-entitled rules, which were adopted by the Department without a hearing. Review and approval is governed by Minn. Stat. § 14.26.

On April 21, 2014, the Office of Administrative Hearings received the documents required by Minn. Stat. § 14.26 and Minn. R. 1400.2310. By Order dated May 5, 2014, Administrative Law Judge LauraSue Schlatter determined that the proposed rules included defects and that correcting the defect in proposed rule Minn. R. 3310.2917, subp. 1, would require the Department to adopt a substantially different rule as defined by Minn. Stat. § 14.05, subd. 2. By Order dated May 12, 2014, the Chief Administrative Law Judge concurred in these conclusions.

On July 1, 2014, the Department submitted revisions of the proposed rules for review. Based upon the submissions and rulemaking record,

IT IS HEREBY ORDERED:

1. The Department has the statutory authority to adopt the rules.
2. The rules were adopted in compliance with all procedural requirements of Minnesota Statutes, Chapter 14, and Minnesota Rules, Chapter 1400.
3. The Department has followed the procedures in Minn. R. 1400.2110 for adopting rules that are substantially different than those originally proposed.

4. Rule parts 3310.2914, subpart 2; 3310.2915; 3310.2916; and 3310.2917, subpart 1 are **APPROVED**. All other parts of the rule were approved for legality under the terms of the May 5, 2014, Order.

Dated: July 9, 2014

s/Tammy L. Pust

TAMMY L. PUST
Chief Administrative Law Judge