



Unemployment Insurance Minnesota

April 17, 2014

The Honorable LauraSue Schlatter
Administrative Law Judge
Office of Administrative Hearings
600 North Robert Street
P.O. Box 64620
Saint Paul, Minnesota 55164-0620

**Re: In the Matter of the Proposed Rules of the Department of Employment & Economic Development Relating to Unemployment Insurance; Modifying Appeals, Employer Records, and Worker Status Provisions;
OAH Docket No. 80-1200-31264; Revisor's ID Number R-4207**

Dear Judge Schlatter:

The Minnesota Department of Employment and Economic Development requests that the Office of Administrative Hearings review and approve its rules governing unemployment insurance, modifying appeals, employer records, and worker status provisions, for legality and form according to Minnesota Statutes, section 14.26. Upon receipt of OAH approval, the Department will adopt the rules.

Enclosed for your review are the documents required by Office of Administrative Hearings Rules, part 1400.2310, items A to P. Paragraphs A to P of this letter are keyed to items A to P of part 1400.2310. Each paragraph states whether the document is enclosed and, if the document is not enclosed, the reason that the document is not applicable.

- A. Enclosed: the Request for Comments as published in the State Register on August 5, 2013.
- B. Not enclosed: a petition for rulemaking. This is not enclosed because no petition was filed regarding these rules.
- C. Enclosed: the proposed rules dated January 14, 2014, with the Revisor's certificate of approval.
- D. Not enclosed: the Statement of Need and Reasonableness. This document is not enclosed because we have already submitted it to your office with our request to schedule a rules hearing dated January 31, 2014.
- E. Enclosed: the Notice of Intent to Adopt Rules, as mailed, and the Notice of Intent to Adopt Rules, as published in the State Register on February 24, 2014.

- F. Not enclosed: a letter from the Chief Administrative Law Judge authorizing the Department to omit the text of the proposed rules from the Notice Of Intent To Adopt Rules published in the State Register. This is not enclosed because the Department included the text of the proposed rules with the Notice of Intent to Adopt Rules published in the State Register.
- G. Enclosed: the Certificate of Mailing the Notice of Intent to Adopt Rules and the Certificate of Accuracy of the Mailing List.
- H. Enclosed: the Certificate of Additional Notice or a copy of the transmittal letter.
- I. Enclosed: the Certificate of Mailing the Statement of Need and Reasonableness to the Legislative Reference Library, along with a copy of the transmittal letter showing that the Department sent the Statement of Need and Reasonableness to the Legislative Reference Library.
- J. Enclosed: all written comments and submissions on the proposed rules that the Department received during the comment period, requests for hearing and withdrawals of requests for hearing, except those that only requested copies of documents. Also enclosed are the Department's responses to said comments.

Not enclosed: requests for hearing and withdrawals of requests for hearing received by the Department, except those that only requested copies of documents. The Department received no such requests.

- K. Not enclosed: a notice of withdrawal of hearing request, evidence that the Department sent its notice of withdrawal to all persons who requested a hearing, and any responsive comments received. These are not enclosed because Minnesota Statutes, section 14.25, subdivision 2, did not require the Department to send a notice of withdrawal of hearing request, as no such requests were received.
- L. Enclosed: a copy of the adopted rules dated March 31, 2014. The modifications to the proposed rules are reflected in the rules as adopted and are approved by the Revisor of Statutes.
- M. Not enclosed: a notice of adopting substantially different rules that was sent to persons or groups who commented during the comment period and evidence that the notice was sent to those persons or groups. This is not enclosed because the Department did not adopt substantially different rules.
- N. Enclosed: the unsigned Order Adopting Rules that complies with the requirements in part 1400.2090.
- O. Not enclosed: a notice of submission of rules to the Office of Administrative Hearings and a copy of a transmittal letter or certificate of mailing the notice of submission of rules to the

Office of Administrative Hearings. No persons requested notification of the submission of the rules to the Office of Administrative Hearings.

- P. Enclosed: any other document or evidence to show compliance with any other law or rule that the Department is required to follow in adopting these rules. These are:
- P.1. The Certificate of Sending Notice to Legislators per Minnesota Statutes, section 14.116.
 - P.2. A copy of the transmittal letter showing the agency consulted with the Department of MMB] [OR] [The Certificate of Consulting with the MMB] per Minnesota Statutes, section 14.131. [And possibly,] MMB's memo dated [date] in response.
 - P.3. The Governor's Preliminary Form, Proposed Rule and SONAR Form, and Final Rule Form, along with the email approval from the Governor's Office.
 - P.4. Certificate of Posting the Dual Notice of Intent to Adopt Rules on the Unemployment Insurance Webpage.
 - P.5. Notice to all Minnesota WorkForce Centers to post the Dual Notice from February 24, 2014, through March 26, 2014.
 - P.6. March 21, 2014, letter to Judge Schlatter canceling the public hearing for the rules.

If you have questions or wish to discuss anything with me, please contact me at 651-259-7241. After you complete your review, please send any correspondence to me at the following address:

Katrina Gulstad
Minnesota Department of Employment and Economic Development
332 Minnesota Street, Ste. E200
St. Paul, MN 55101

Sincerely,



Katrina I. Gulstad
Attorney