

**Title 8—DEPARTMENT OF
LABOR AND INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 5—Appeals**

PROPOSED AMENDMENT

8 CSR 10-5.015 Appeal Hearings and Procedures. The division proposes to amend section (6).

PURPOSE: Consistent with Executive Order 17-03, the amendment rescinds subsection B of section 6 of the rule regarding postponement requests by representatives and attorneys due to existing conflicts and renumbers the remaining subsections of section 6 of the rule.

(6) Postponements.

(A) The hearing officer, upon request of a party or upon his/her own motion, may postpone a hearing. Postponements may be granted if—

1. The request is promptly made after the party receives the Notice of Hearing or after the circumstance requiring postponement arises; and

2. The party has good cause for not attending the hearing at the time and date set. Good cause exists when the circumstances causing the request are beyond the reasonable control of the requesting party and failure to grant the postponement would result in undue hardship for the requesting party.

[(B) A postponement shall not be granted to a representative who agrees to represent when the appeal has already been set for hearing knowing that the setting conflicts with a prior obligation of that representative. Representatives shall include attorneys, agents, or employer representatives.]

[(C)B] No party may presume that a postponement is granted unless duly notified of the granting by the appeals tribunal.

[(D)C] Any further requests for a postponement by a party will be denied except in extraordinary circumstances.

*AUTHORITY: sections 288.190 and 288.220.5, RSMo 2016. Original rule filed Dec. 14, 1982, effective March 13, 1983. For intervening history, please consult the **Code of State Regulations**. Amended: Filed November 22, 2017.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Division of Employment Security, Attn: Chris Slinkard, Acting Director, PO Box 59, Jefferson City, MO 65104-0059. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*