

EMPLOYMENT APPEAL BOARD[486]

Adopted and Filed

Pursuant to the authority of Iowa Code section 10A.601(6), the Employment Appeal Board hereby amends Chapter 2, "General Rules of Procedure," and Chapter 3, "Unemployment Insurance Appeals," Iowa Administrative Code.

These amendments permit parties to file unemployment insurance appeals online using a form developed by the Iowa Workforce Development Department and made available through the Department's Web site.

Notice of Intended Action was published in the Iowa Administrative Bulletin on January 8, 2014, as **ARC 1269C**. No comments were received. The adopted amendments are identical to those published under Notice of Intended Action.

The Board does not believe that the proposed amendments impose any financial hardship on any regulated entity, body, or individual.

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 10A.601(6).

These amendments shall become effective April 9, 2014.

The following amendments are adopted.

ITEM 1. Amend rule **486—2.2(10A)**, definitions of "Appeal" and "Filing date," as follows:

"Appeal" means any instrument, including an online appeal submitted through the online appeal form available on the Iowa workforce development Web site, used to notify the employment appeal board that ~~the an aggrieved~~ individual wishes to appeal a decision of an administrative law judge. The instrument must be in writing ~~and signed by the individual or an authorized representative.~~ ~~If the instrument is signed by an authorized representative, the person or party filing the appeal must be designated in the document.~~

"Filing date" means the date prescribed by statute or rule for an action required to be taken. The filing date will be the date the document is postmarked, if filed by U.S. Postal Service; the date of the faxed document, if filed by facsimile transmission; the date of the document, if the postmark is illegible; the earliest date the transmission indicates that it was submitted if filed via the online appeal form; or the date received, if filed by any other means. If filed by fax, the original copy of the document shall be mailed to the employment appeal board. If the document is filed by U.S. Postal Service and the document contains both a postal meter mark and a U.S. Postal Service postmark, the U.S. Postal Service postmark shall be used to determine the filing date.

ITEM 2. Amend subrule 3.1(2) as follows:

3.1(2) Form and time of appeal. A party aggrieved by a decision of an administrative law judge may appeal to the employment appeal board within 15 days from the date of the decision. The appeal shall state the grounds for the appeal. ~~The~~ If sent by mail or courier, the appeal shall be addressed to Employment Appeal Board, Lucas State Office Building, Fourth Floor, 321 East 12th Street, Des Moines, Iowa 50319. The appeal may also be filed in any office maintained by the workforce development department which processes claims for unemployment insurance. Appeals may also be filed by facsimile transmission (fax). If the appeal is filed by fax, the original copy shall be mailed to the employment appeal board at the above address. The date of the appeal is the date of the fax transmission. Appeals may also be filed online by completing and submitting an online appeal form available on the Iowa workforce development Web site.

[Filed 2/12/14, effective 4/9/14]

[Published 3/5/14]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 3/5/14.