

## **EMPLOYMENT APPEAL BOARD[486]**

[Created by 1986 Iowa Acts, chapter 1245, section 515,  
under the “umbrella” of the Department of Inspections and Appeals]

### CHAPTER 1 ORGANIZATION

- 1.1(10A) Organization
- 1.2(10A) Jurisdiction and filing of appeals

### CHAPTER 2 GENERAL RULES OF PROCEDURE

- 2.1(10A) General procedures
- 2.2(10A) Definitions
- 2.3(10A) Ex parte communications

### CHAPTER 3 UNEMPLOYMENT INSURANCE APPEALS

- 3.1(10A) Appeals
- 3.2(10A) Removals
- 3.3(10A) Appeal board decisions
- 3.4(10A) Rehearing of the appeal board decision
- 3.5(10A) Disqualification of appeal board members
- 3.6(10A) Public hearing
- 3.7(10A) Specific rules applicable to unemployment insurance claims
- 3.8(10A) Retention of records

### CHAPTER 4 RULES OF PROCEDURE FOR OSHA APPEALS

#### DIVISION I GENERAL PROVISIONS

- 4.1(10A,88) Definitions as used herein
- 4.2(10A,88) Scope of rules—applicability of Iowa rules of civil procedure
- 4.3(10A,88) Use of number
- 4.4(10A,88) Computation of time
- 4.5(10A,88) Extensions of time
- 4.6(10A,88) Record address
- 4.7(10A,88) Service and notice
- 4.8(10A,88) Filing
- 4.9(10A,88) Consolidation
- 4.10(10A,88) Severance
- 4.11(10A,88) Protection of trade secrets and other confidential information
- 4.12 to 4.19 Reserved

#### DIVISION II PARTIES AND REPRESENTATIVES

- 4.20(10A,88) Party status
- 4.21(10A,88) Intervention—appearance by nonparties
- 4.22(10A,88) Representatives of parties and intervenors
- 4.23 to 4.29 Reserved

#### DIVISION III PLEADINGS AND MOTIONS

- 4.30(10A,88) Form
- 4.31(10A,88) Caption—titles of cases

|              |  |
|--------------|--|
| 4.32(10A,88) | Notices of contest                             |
| 4.33(10A,88) | Employer contests                              |
| 4.34(10A,88) | Response to motions                            |
| 4.35(10A,88) | Failure to file                                |
| 4.36(10A,88) | Petitions for modification of abatement period |
| 4.37(10A,88) | Employee contests                              |
| 4.38 to 4.49 | Reserved                                       |

DIVISION IV  
PREHEARING PROCEDURES AND DISCOVERY

|              |   |
|--------------|---|
| 4.50(10A,88) | Withdrawal of notice of contest, citation or complaint                                      |
| 4.51(10A,88) | Prehearing conference   |
| 4.52(10A,88) | Requests for admissions   |
| 4.53(10A,88) | Discovery   |
| 4.54(10A,88) | Failure to comply with orders for discovery   |
| 4.55(10A,88) | Issuance of subpoenas—petitions to revoke or modify subpoenas—right to inspect or copy data |
| 4.56 to 4.59 | Reserved  |

DIVISION V  
HEARINGS

|              |  |
|--------------|--|
| 4.60(10A,88) | Notice of hearing  |
| 4.61(10A,88) | Postponement of hearing  |
| 4.62(10A,88) | Failure to appear  |
| 4.63(10A,88) | Payment of witness fees and mileage—fees of persons taking depositions   |
| 4.64(10A,88) | Reporter's fees  |
| 4.65(10A,88) | Transcript of testimony  |
| 4.66(10A,88) | Duties and powers of the employment appeal board or administrative law judge   |
| 4.67(10A,88) | Disqualification of member of employment appeal board or administrative law judge  |
| 4.68(10A,88) | Examination of witnesses   |
| 4.69(10A,88) | Affidavits   |
| 4.70(10A,88) | Deposition in lieu of oral testimony—application—procedures—forms—rulings  |
| 4.71(10A,88) | Exhibits   |
| 4.72(10A,88) | Rules of evidence  |
| 4.73(10A,88) | Burden of proof  |
| 4.74(10A,88) | Objections   |
| 4.75         | Reserved   |
| 4.76(10A,88) | Filing of briefs and proposed findings with the employment appeal board or the administrative law judge—oral argument at the hearing |
| 4.77(10A,88) | Conduct of persons attending meetings or hearing   |
| 4.78 to 4.89 | Reserved   |

DIVISION VI  
POSTHEARING PROCEDURES

|              |  |
|--------------|--|
| 4.90(10A,88) | Decisions of employment appeal board or administrative law judge |
| 4.91         | Reserved   |
| 4.92(10A,88) | Stay or rehearing of final order                                 |
| 4.93 to 4.99 | Reserved   |

DIVISION VII  
MISCELLANEOUS PROVISIONS

|               |                      |
|---------------|----------------------|
| 4.100(10A,88) | Settlement           |
| 4.101(10A,88) | Emergency proceeding |
| 4.102(10A,88) | Standards of conduct |

- 4.103(10A,88) Ex parte communication
- 4.104(10A,88) Restrictions as to participation by investigative or prosecuting officers
- 4.105(10A,88) Inspection and reproduction of documents
- 4.106(10A,88) Restrictions with respect to former employees
- 4.107(17A) Petition for rule making
- 4.108(10A,88) Special circumstances—waiver of rules
- 4.109(10A,88) Penalties
- 4.110(10A,88) Telephone hearing

CHAPTER 5  
PERSONNEL APPEALS

- 5.1(10A) Appeals

CHAPTER 6  
PEACE OFFICER AND CAPITOL SECURITY APPEALS

- 6.1(10A) Appeals

CHAPTER 7  
CONSTRUCTION CONTRACTOR REGISTRATION  
APPEALS

- 7.1(91C) Appeals

CHAPTER 8  
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES  
(Uniform Rules)

- 8.1(17A,22) Definitions
- 8.3(17A,22) Requests for access to records
- 8.6(17A,22) Procedure by which additions, dissents, or objections may be entered into certain records
- 8.9(17A,22) Disclosures without the consent of the subject
- 8.10(22) Routine use
- 8.11(22) Consensual disclosure of confidential records
- 8.12(22) Availability of records
- 8.13(22) Personally identifiable information

CHAPTER 9  
IPERS APPEALS

- 9.1(10A,97B) Appeals