

486—4.66(10A,88) Duties and powers of the employment appeal board or administrative law judge.

It shall be the duty of the employment appeal board or the administrative law judge to conduct a fair and impartial hearing, to ensure that the facts are fully elicited, to adjudicate all issues and avoid delay. The employment appeal board or the administrative law judge shall have authority to:

1. Administer oaths and affirmations;
2. Issue authorized subpoenas;
3. Rule upon petitions to revoke subpoenas;
4. Rule upon offers of proof and receive relevant evidence;
5. Take or cause depositions to be taken whenever the needs of justice would be served;
6. Regulate the course of the hearing and, if appropriate or necessary, exclude persons or counsel from the hearing for contemptuous conduct and strike all related testimony of witnesses refusing to answer any proper questions;
7. Hold conferences for the settlement or simplification of the issues;
8. Dispose of procedural requests or similar matters, including motions and motions to amend pleadings; also to dismiss complaints or portions thereof, and to order hearings reopened or, upon motion, consolidated prior to issuance of its decisions;
9. Reserved.
10. Call and examine witnesses and to introduce into the record documentary or other evidence;
11. Request the parties at any time during the hearing to state their respective positions concerning any issue in the case or theory in support thereof;
12. Adjourn the hearing as the needs of justice and good administration require;
13. Take any other action necessary under the foregoing and authorized by the Act and published rules of the employment appeal board.