

875—5.10(88) Modification and revocation of rules or orders.

5.10(1) An affected employer or an affected employee may apply in writing to the labor commissioner for a modification or revocation of a rule or order issued under Iowa Code section 88.5(3), 88.5(6), or 88.5(7). The application shall contain:

- a.* The name and address of the applicant;
- b.* A description of the relief which is sought;
- c.* A statement setting forth with particularity the grounds for relief;
- d.* If the applicant is an employer, a certification that the applicant has informed affected employees of the application by: (1) giving a copy thereof to their authorized representative; (2) posting at the place or places where notices to employees are normally posted, a statement giving a summary of the application and specifying where a copy of the full application may be examined (or, in lieu of the summary, posting the application itself); and (3) other appropriate means when necessary;
- e.* If the applicant is an affected employee, a certification that a copy of the application has been furnished to the employer; and
- f.* Any request for a hearing, as provided in this chapter.

5.10(2) The commissioner may move to modify or revoke a rule or order issued under Iowa Code section 88.5(3), 88.5(6), or 88.5(7). In such event, the commissioner shall cause a notice of intention to be published in accordance with the notice requirements of rule 5.5(88), affording interested persons an opportunity to submit written data, views or arguments regarding the proposal and informing the affected employer and employees of their right to request a hearing, and shall take such other action as may be appropriate to notify the affected employer and employees. Any request for a hearing shall include a short and plain statement of:

- a.* How the proposed modification or revocation would affect the requesting party; and
- b.* What the requesting party would seek to show on the subjects or issues involved.