

**486—4.103(10A,88) Ex parte communication.**

**4.103(1)** There shall be no ex parte communication, with respect to the merits of any case not concluded, between the employment appeal board, including any members, officer, employee, or agent of the employment appeal board who is employed in the decisional process, and any of the parties or intervenors.

**4.103(2)** In the event such ex parte communication occurs, the employment appeal board may make such orders or take such action as fairness requires. Upon notice and hearing, the employment appeal board may take disciplinary action as is appropriate in the circumstances against any person who knowingly and willfully makes or solicits the making of a prohibited ex parte communication.