

Sec. 31-237g-18. Rescheduling; postponements.

Due to existing requirements for the prompt disposition of unemployment compensation appeals, a hearing scheduled before a Referee may, for good cause, be rescheduled by the Appeals Division to another date, time or location only upon the initiative of the Appeals Division or upon a request from a party, or the attorney or authorized agent for such party, which reveals good cause for such request. Such a request need not be in writing, but shall be promptly made as far as possible in advance of the scheduled hearing and describe the good cause alleged for the request. Such a request should be made to the Appeals Division office which issued the notice of hearing. The Appeals Division may require that the reasons given in oral rescheduling requests be subsequently confirmed in writing or sworn affidavit by the party, attorney, or authorized agent who made the request. The Appeals Division may deny any request that is not based upon good cause or that is not timely made. Each authorized agent that represents parties for a fee shall comply with Section 31-272-4 of the Regulations of Connecticut State Agencies in making such a request. The Appeals Division shall, with regard to each such rescheduling request, promptly decide the request and record the following in the appeal file: (1) the person making such request; (2) the party on whose behalf the request was made; (3) the date and time such request was received; (4) the good cause alleged for such request; (5) the decision upon such request and the reasons therefor; (6) the manner in which such decision was conveyed to the requesting party; and (7) the name of the Appeals Division staff member involved with such communication. The Appeals Division's decision denying such a rescheduling request need not otherwise be in writing.

- a. Upon rescheduling any hearing, the Appeals Division shall:
 1. promptly make a reasonable effort to orally notify each party, attorney and authorized agent of record as to the rescheduling if it is reasonable to assume that mailed written notice of such rescheduling would not timely arrive, and record in the file record the date and time of such notification and the person to whom such notification was conveyed; and
 2. confirm such rescheduling with a written notice of rescheduling which shall be sent to all parties and list the following information: the party who made the request, the good cause alleged for the request, and, if known, the new day, date, time and place for the rescheduled hearing. If such notice indicates the new day, date, time and place of such hearing, such notice shall be in lieu of reissued notice otherwise required by Section 31-236g-17 of these regulations.
- b. Any party aggrieved by the Referee's decision on a rescheduling request may petition for review of such decision but only as a part of any subsequent petition which addresses the Referee's eventual decision on the appeal by way of either an appeal to the Board or a motion to the Referee to reopen, vacate, set aside or modify. However, any party which objects to a Referee's decision on a rescheduling request should, at the earliest opportunity, provide such objection in writing to the Appeals Division office involved and/or state such objection on the record at the hearing held subsequent to such request.

(Effective October 27, 1997)