

APA-1

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control \_\_\_\_\_ Department or Agency: Dept. of Labor \_\_\_\_\_

Rule No. 480-1-4-.13 \_\_\_\_\_

Rule Title: Telephone Hearings. \_\_\_\_\_

\_\_\_\_\_ New  Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? \_\_\_\_\_ NO \_\_\_\_\_

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? \_\_\_\_\_ NO \_\_\_\_\_

Is there another, less restrictive method of regulation available that could adequately protect the public? \_\_\_\_\_ NO \_\_\_\_\_

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? \_\_\_\_\_ NO \_\_\_\_\_

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? \_\_\_\_\_ NO \_\_\_\_\_

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? \_\_\_\_\_ YES \_\_\_\_\_

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? \_\_\_\_\_ NO \_\_\_\_\_

\*\*\*\*\*

Does the proposed rule have an economic impact? \_\_\_\_\_ NO \_\_\_\_\_

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

\*\*\*\*\*

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer Stephen McCormick

Date 6-15-18

(DATE FILED)  
(STAMP)

APA-2

Department of  
Labor

NOTICE OF INTENDED ACTION

AGENCY NAME: DEPARTMENT OF LABOR

RULE NO. & TITLE: 480-1-4-.13 Telephone Hearings.

INTENDED ACTION: Amendment.

SUBSTANCE OF PROPOSED ACTION: To amend the above section under the Hearings and Appeals Chapter to update certain obsolete verbiage.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons may submit data, views, or arguments in writing to Stephen McCormick, Department of Labor, 649 Monroe Street, Montgomery, Alabama 36131 by mail or in person between the hours of 8:00 am and 4:30 pm, Monday through Friday until and including August 06, 2018. Persons wishing to submit data, views or arguments orally should contact Stephen McCormick by telephone at (334) 242-8274 during this period to arrange an appointment.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: August 06, 2018

CONTACT PERSON AT AGENCY:

Stephen McCormick  
Department of Labor  
649 Monroe Street  
Montgomery, AL 36131  
Telephone: (334) 242-8274



---

Stephen McCormick  
Director, Governmental Affairs

ALABAMA DEPARTMENT OF LABOR  
ADMINISTRATIVE CODE

CHAPTER 480-1-4  
HEARINGS AND APPEALS

TABLE OF CONTENTS

480-1-4-.01	Repealed
480-1-4-.02	Authority Of A Hearing Officer
480-1-4-.03	Duties And Disqualifications Of Hearing Officers
480-1-4-.04	Conduct Of Hearings
480-1-4-.05	Representation
480-1-4-.06	Subpoenas And Depositions
480-1-4-.07	Withdrawals
480-1-4-.08	Identification Of Interested Parties
480-1-4-.09	Scheduling And Notice Of Hearing
480-1-4-.10	Postponements, Default, Consent Orders And Agreed settlements
480-1-4-.11	Decision And Notice Of Decision
480-1-4-.12	Filing Of An Appeal
480-1-4-.13	Telephone Hearings

480-1-4-.13 Telephone Hearings.

(1) The Department of Labor, ~~Unemployment Compensation Agency~~ Hearings and Appeals Division, shall have the power to conduct unemployment compensation appeal hearings by use of a teleconferencing telephone system.

(2) In any proceeding before a hearing officer using the teleconferencing method, any party intending to submit documents for the hearing officer's consideration must submit the same to the Department of Labor, ~~Unemployment Compensation Agency Hearings and Appeals Division, Appeals Section,~~ Montgomery, Alabama 36130~~1~~.

(a) Documents must be received at least five days prior to the hearing.

(b) Copies of said documents shall be provided the adverse party by the Agency prior to the hearing.

(3) All other rules governing the conduct of unemployment compensation appeals hearings shall apply when such are conducted by the teleconferencing method.

**Authors:** George Cocoris, Coleman C. Scott, Venessa Watkins

**Statutory Authority:** Code of Ala 1975, §25-2-8.

**History:** Effective September 30, 1982. **Amended:** Filed June 15, 2018;  
effective