



Unemployment Insurance Minnesota

Appeals Office
P.O. Box 75576
St. Paul MN 55175-0576

Telephone: 651-296-3745
TTY (for hearing impaired only)
1-866-814-1252

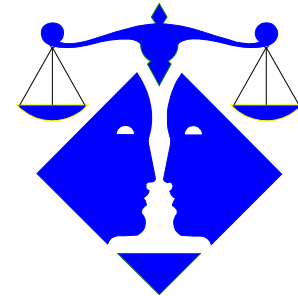
Fax: 651-205-4007

General Information

Online: www.uimn.org
Phone: 651-296-3644 (Twin Cities area)
1-877-898-9090 (Greater Minnesota)
TTY: 1-866-814-1252

The information in this pamphlet is general information. It cannot be used as law or rule. This information is available in alternative formats by calling the Appeals Office at 651-296-3745. TDD/TTY users call 1-866-814-1252.

WHAT YOU NEED TO KNOW...



ABOUT APPEAL HEARINGS

Appeal Hearing Guide



Unemployment Insurance Minnesota



NOTICE TO APPLICANTS

If you are still unemployed while this appeal process is going on, you should continue to request unemployment benefits according to your regular schedule. If the judge's decision makes you eligible for benefits, you can only be paid for weeks you requested in a timely manner.



PRIVACY RIGHTS

Information provided to the Minnesota Unemployment Insurance Program about unemployment insurance or benefit matters is, by law, private and not available to the public. It can be used only to determine unemployment insurance or benefit issues.

What kind of hearing is it?

It is a telephone hearing conducted by an impartial judge employed by the Minnesota Unemployment Insurance (UI) Program. These hearings deal only with unemployment insurance and benefits.

What happens in this hearing?

The judge takes sworn testimony and makes sure all parties have a chance to speak, ask questions, and submit evidence. The proceedings are recorded. The judge will:

1. Control the hearing so it is orderly and fair.
2. Ask questions to get all the facts needed to make the correct decision of law.
3. Explain the issues, and any terms you do not understand.
4. Decide which testimony and evidence will be part of the record.

Who can participate in this hearing?

You, your representative, and witnesses on your behalf can participate. If another party can be affected by the determination under appeal, he or she can participate with representation and witnesses.

Do I need an attorney or representative?

This type of hearing does not require an attorney or representative.

What if I want someone to represent me?

1. You must make arrangements yourself, as soon as possible.
2. We cannot recommend or assist you in hiring an attorney or other representative.
3. You are responsible for any costs or fees charged by your representative.
4. If you are an applicant and you choose to have a representative, only an attorney at law may charge you fees for representing you.

What are my rights at the hearing?

1. You can give testimony and have witnesses present testimony.
2. You can present and explain evidence.
3. If there is another party, you can question them and any witness.
4. You can respond, in turn, to what is said by another party or witness.
5. You can make a statement at the close of the hearing.

What evidence can I present?

You can present anything that supports your testimony. Depending on the issue, evidence might be an employer's written policies, warnings, medical statements, contracts, time or pay records, notes made during the employment, etc. This hearing is the only chance you will have to tell your story and present evidence to a judge. Any further appeal will only review evidence given at this hearing. If you believe you need certain documents that you cannot obtain on your own, you may request that we subpoena them.

If you decide to submit evidence to be considered in the hearing:

- fax or mail the documents to the appeals office **five or more days before the hearing**. Include the Appeal Documents Submission Form that is included with your Notice of Appeal with any evidence you submit.
- send the documents to the opposing party and notify the appeals office that you have done so.

What witnesses can I present?

You may have witnesses to help prove your case. Witnesses should have firsthand knowledge of what happened in your situation. If you need a witness who will not participate willingly, you may request that we subpoena the witness. A subpoena requires them to participate in the hearing. You request a subpoena during your hearing. If the judge decides to issue a subpoena for evidence or a witness, your hearing will be rescheduled.

What information does the judge already have?

The judge has all documents used to make the original determination. A copy of all the documents is sent to you when the hearing is scheduled.

What happens if I don't participate in the hearing?

If you do not participate, the judge may take testimony and evidence from any other party affected by the issue. The judge can base his or her decision on documents used to make the original determination, and any evidence or testimony taken at the hearing. If you do not participate in the hearing, you usually cannot present any more evidence.

What if I want to stop my appeal?

If you filed the appeal, you may withdraw it anytime before the judge's decision is mailed. An appeal can be withdrawn by logging in to your account at www.uimn.org.

Applicants:

- Click *View and Maintain My Account*
- Click *Determination and Issue Summary*
- Search for the appeal you wish to withdraw

Employers:

- Refer to the Employers User Guide at www.uimn.org for the steps to withdraw an appeal.

If you withdraw your appeal, the determination becomes final.

How can I most effectively participate in my hearing?

1. If you have not been called within ten minutes of the time the hearing is scheduled to begin, call the appeals office.
2. Fax or mail in all appeal documents to be used in your case **five or more days** before the hearing.
3. Provide witnesses with **firsthand or direct knowledge** of the incident(s) or issue(s) to be addressed at the hearing.