



**North Carolina Department of Commerce
Division of Employment Security
Unemployment Insurance**



This is a sample of a Notice of Hearing In-Person. It will inform you where and when to report for the hearing, who is conducting the hearing, and the issues that will be discussed.

IN THE MATTER OF:

APPEALS DOCKET NO. [#####]

CLAIMANT

EMPLOYER

NAME
ADDRESS
CITY, STATE, ZIP

NAME
ADDRESS
CITY, STATE, ZIP

Claimant: (First) (Last)

On (DATE), THE <CLAIMANT/EMPLOYER> FILED AN APPEAL FROM THE DETERMINATION BY ADJUDICATOR, DOCKET NUMBER #####. THE APPEALS REFEREE WILL CONDUCT AN EVIDENTIARY HEARING AND MAKE A DECISION ON THE ISSUE(S) SHOWN BELOW. IF THE ISSUE(S) SHOWN IS DIFFERENT FROM THE ISSUE(S) DECIDED BY THE ADJUDICATOR, YOU MAY OBJECT AT THE HEARING, AND THE APPEALS REFEREE WILL NOT HEAR EVIDENCE AND DECIDE ANY ISSUE(S) TO WHICH YOU HAVE OBJECTED WITHOUT FURTHER WRITTEN NOTICE OR WAIVER OF FURTHER WRITTEN NOTICE BY YOU AT THE HEARING. WHEN YOU REPORT FOR THE HEARING, DO NOT WAIT IN LINE. TELL THE RECEPTIONIST THAT YOU WERE THERE FOR A HEARING.

HEARING LOCATION: (ADDRESS)
(CITY, STATE, ZIP)

HEARING DATE: (DAY, DATE: MONTH DATE YEAR)

HEARING TIME: (HH:MM AM/PM EST/EDT) FOR (##) MINUTES.

APPEALS REFEREE: (NAME)

TELEPHONE: (XXX) XXX-XXXX FAX (XXX) XXX-XXXX

EMAIL: (NAME.NAME@NCCOMMERCE.COM)

HEARING ISSUE(S):

WHETHER THE CLAIMANT:

Text box 1-4000 CHARACTERS

1. ***This section lists the issues that will be discussed in the hearing.***
- 2.
- 3.

LA-



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Date Mailed : MM/DD/YYYY

SEE REVERSE SIDE FOR MORE INFORMATION

NOTICE OF HEARING BY IN PERSON

Please review the “How to appeal an Initial Determination and Participate in A Hearing” pamphlet which was previously mailed to you. Copies of the pamphlet and answers to Frequently Asked Questions FAQs are available on the [DES Website at www.ncesc.com](http://www.ncesc.com).

IMPORTANT: BE ON TIME FOR YOUR HEARING. IF THE APPEALING PARTY IS MORE THAN 10 MINUTES LATE FOR AN IN PERSON HEARING, THE APPEALS REFEREE MAY DISMISS THE APPEAL AND ALLOW THE OTHER PARTICIPANTS TO LEAVE. IF THE NON-APPEALING PARTY IS MORE THAN 10 MINUTES LATE THAT HEARING MAY PROCEED WITHOUT THEM

HOW TO GIVE EVIDENCE: Sworn testimony is required. If you want witnesses to testify, they must do so at the hearing. If you have documents, electronic recordings or other evidence that you want considered by the hearing official, you must mail or deliver them to the hearing official and to each party. The evidence must be received before the hearing.

DRUG AND/OR ALCOHOL-RELATED SEPARATIONS: There must be evidence to prove or disprove any test and its results. Evidence should also include work rules and/or policies. In North Carolina, the Controlled Substance Examination Regulation Act, N.C.G.S. 95-230 et seq., requires that tests comply with its procedural requirements, unless the test was administered by the U.S. Department of Transportation or Nuclear Regulatory Commission. Instead of live testimony from a laboratory representative at a contested claims hearing, an affidavit from the labs authorized representative maybe presented to prove controlled substance examination results, chain of custody and/or compliance with all testing and retesting required by federal or state law. Test results may be deemed approved if the claimant admits or stipulates to them during the hearing or by affidavit. Any documents submitted to the hearing official must also have been provided to the other party before the hearing. If you have questions, contact the Chief Appeals Referee.

POSTPONEMENTS: Any request for changing the date, time, or location of the hearing must be made to the Appeals Referee.

Help us prevent UI Fraud by responding timely and accurately to requests for information



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LEGAL REPRESENTATION: Any claimant or employer may file their own appeal and represent themselves (pro se) throughout the administrative appeals process, or may have a legal representative file an appeal and represent them. Legal representatives should be obtained prior to any administrative hearing or review. A legal representative (including individuals from a third-party company serving as an employer's unemployment insurance administrator) must be a licensed attorney, or a person supervised by a licensed attorney in accordance with the N.C. G. S. Chapter 84 and section 96–17 (b). Notices and/or certification of attorney supervision must be in writing.

SUBPOENAS: The Appeals Referee may issue subpoenas for witnesses and documents that are relevant to the hearing. Make the request as soon as possible, so the subpoena can be served before the hearing. Legal representatives may issue subpoenas at their own expense and discretion.

Contact: NC Department of Commerce, Division of Employment Security, Appeals Section, PO
Box 25903, Raleigh, NC 27611–50 903

Facsimile: (919) 733–1228 *phone: (919)707–1060* des.public.appeals@nccommerce.com

If you write or call about your case, please give the claimant's full name, the last four digits of the claimant's Social Security number and the Appeals Docket number.

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