

**SUBCHAPTER 20C - ADJUDICATIVE PROVISIONS/GENERAL PROVISIONS FOR  
ADMINISTRATIVE ADJUDICATIONS**

**04 NCAC 20C .0101 ADMINISTRATIVE PROCEDURES GENERALLY**

- (a) The administrative procedures of the Division are governed by G.S. 150B, except to the extent modified in this Chapter in accordance with federal law.
- (b) Procedures for administrative review shall be governed by the provisions of Rule .0002 of this Subchapter.
- (c) Procedures for division review shall be governed by the provisions of Rule .0003 of this Subchapter.
- (d) Procedures for grievances shall be governed by Rule .0004 of this Subchapter.
- (e) Nothing in this Chapter 20 shall be construed to allow an individual to join or sue the Governor with respect to the Governor's responsibilities under JTPA or these Regulations, or the Secretary or Director, with respect to their responsibilities as delegate of the Governor for JTPA purposes, or the State Job Training Coordinating Council or any member thereof, with respect to their responsibilities under JTPA or these Regulations, without first exhausting the administrative remedies described in this Chapter.
- (f) The burden of proof in a hearing rests with the complainant.
- (g) Nothing in this Subchapter shall be construed to preclude the dismissal of complaints that would be subject to dismissal under the Rules of Civil Procedure. Summary disposition of cases, when warranted, shall be permitted.
- (h) The address of the Office of Administrative Hearings is Post Office Drawer 27447, Raleigh, North Carolina, 27611-7447 and the address of the Division is 111 Seaboard Avenue, Raleigh, North Carolina 27604.

*History Note: Authority G.S. 143B-430(b); 150B; 20 C.F.R. 629.52;  
Eff. July 1, 1980;  
Amended Eff. May 1, 1992; August 1, 1988; February 1, 1986; October 1, 1984;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 27,  
2019.*