

11 NCAC 23A .0611 HEARINGS BEFORE THE COMMISSION

- (a) The Commission may, on its own motion, order a hearing or rehearing of any case in dispute. The Commission shall set a contested case for hearing in a location deemed convenient to witnesses and the Commission.
- (b) In setting contested cases for hearing, cases in which the payment of workers' compensation benefits is at issue take precedence.
- (c) The Commission shall give notice of hearings in every case. Postponement or continuance of a duly scheduled hearing shall be allowed only in the discretion of a Commissioner or Deputy Commissioner before whom the case is set if required in the interests of justice or to promote judicial economy. When a party has not notified the Commission of the attorney representing the party prior to the mailing of calendars for hearing, notice to that party constitutes notice to the party's attorney.
- (d) In a contested case, the record includes all prior Opinion and Awards, filed Commission forms, form agreements, awards, and orders of the Commission. Any other documents that the parties wish to have included in the record shall be introduced and received into evidence.
- (e) In the event of inclement weather or natural disaster, hearings set by the Commission shall be cancelled or delayed and rescheduled if the proceedings before the General Court of Justice in that county are cancelled or delayed.

*History Note: Authority G.S. 97-79; 97-80(a); 97-84; 97-91;
Eff. January 1, 1990;
Amended Eff. November 1, 2014; June 1, 2000;
Recodified from 04 NCAC 10A .0611 Eff. June 1, 2018;
Amended Eff. December 1, 2018.*