13 NCAC 07A .0710 ACTION ON APPLICATIONS

(a) Defective Applications

(1) If an application filed pursuant to Rule .0707, or .0708, or .0709 of this Section does not conform to the applicable rule, the Commissioner may deny the application.

(2) Prompt notice of the denial of an application shall be given to the applicant.

(3) A notice of denial shall include, or be accompanied by, a brief statement of the grounds for the denial.

(4) A denial of an application pursuant to this Paragraph shall be without prejudice to the filing of another application.

(b) Adequate Applications

(1) If an application has not been denied pursuant to Paragraph (a) of this Rule the Commissioner shall publish in the North Carolina Register a notice of the filing of the application and require posting of such notice by the applicant in a conspicuous place or places where notices to employees are customarily posted. Verification of the posting of this notice shall be provided to the Commissioner.

(2) A notice of the filing of an application shall include:

(A) the terms, or an accurate summary, of the application;

(B) a reference to the section of the Act under which the application has been filed;

(C) an invitation to interested persons to submit within a stated period of time written data, views, or arguments regarding the application; and

(D) information to affected employers and employees of any right to request a hearing on the application.

History Note: *Authority G.S. 95-132; 95-136;*
Eff. February 1, 1976;
Amended Eff. June 8, 1977; September 20, 1976;
Readopted Eff. September 30, 1977;
Amended Eff. May 1, 1994;
Pursuant to G.S. 150B-21.3A rule is necessary without substantive public interest Eff. March 1, 2016.