

### **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.*