

TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION

Control No. \_\_\_\_\_ Department or Agency: Department of Labor

Rule No. 480-1-3-.02

Rule Title: Filing and Presentation of Application for Leave to Appeal to the Board of Appeals

         New                   X          Amend          Repeal          Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety?          NO         

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare?          NO         

Is there another, less restrictive method of regulation available that could adequately protect the public?          NO         

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree?          NO         

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule?          NO         

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public?          YES         

\*\*\*\*\*

Does the proposed rule have an economic impact?          NO         

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

\*\*\*\*\*

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer         Stephen McCorkle        

Date         10-20-14        

(DATE FILED)  
(STAMP)

Department of  
Labor

NOTICE OF INTENDED ACTION

AGENCY NAME: DEPARTMENT OF LABOR

RULE NO. & TITLE: 480-1-3-.02 Filing and Presentation of  
Application for Leave to Appeal to the Board of Appeals

INTENDED ACTION: Amendment.

SUBSTANCE OF PROPOSED ACTION: The adoption is necessary to  
update the department name to reflect the Alabama Department of  
Labor and clarify application process.

TIME, PLACE, MANNER OF PRESENTING VIEWS: All interested persons  
may submit data, views, or arguments in writing to Stephen  
McCormick, Department of Labor, 649 Monroe Street, Montgomery,  
Alabama 36131 by mail or in person between the hours of 8:00 am  
and 4:30 pm, Monday through Friday until and including December  
08, 2014. Persons wishing to submit data, views or arguments  
orally should contact Stephen McCormick by telephone at (334)  
242-8274 during this period to arrange an appointment.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: December 08,  
2014.

CONTACT PERSON AT AGENCY:

Stephen McCormick  
Department of Labor  
649 Monroe Street  
Montgomery, AL 36131  
Telephone: (334) 242-8274

  
\_\_\_\_\_  
Stephen McCormick  
Director, Governmental Affairs

ALABAMA DEPARTMENT OF LABOR  
ADMINISTRATIVE CODE

CHAPTER 480-1-3  
BOARD OF APPEALS

480-1-3-.02 Filing And Presentation Of Application For Leave  
To Appeal To The Board Of Appeals.

(1) A person applying for leave to appeal to the Board of Appeals from a decision of a hearing officer shall file the same within 15 days after notice of such decision shall have been mailed. The application for leave to appeal shall be filed with the Clerk of the Board of Appeals, ~~Industrial Relations Building~~ Alabama Department of Labor, 649 Monroe Street, Montgomery, Alabama 36130, ~~or by telephone to a call center.~~ Receipt of the application shall constitute filing.

(2) The application shall be in writing or in a form approved by the Director. Such written application may be accompanied by a written statement or brief in support thereof.

(3) ~~If the application is in writing,~~ eCopies of the application for leave to appeal together with copies of any written statements as are filed with the application ~~shall~~ may be mailed by the Clerk of the Board to each party to the proceeding within 15 days after having been received by the Clerk of the Board.

~~(4) Call Centers will allow the application to be filed by telephone if the appealing party personally speaks to Department of Industrial Relations personnel. Said application will be deemed filed as of that event.~~

**Author:** Craig A. Donley, Governmental Affairs Director; Stephen C. McCormick, Governmental Affairs Director.

**Statutory Authority:** Code of Ala. 1975, §§25-2-17, 25-4-94.

**History: Amended:** Filed August 23, 2001; effective September 27, 2001. Amended: Filed October 20, 2014; Effective: