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Title 22@ Social Security

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Division 1@ Employment Development Department

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Subdivision 2@ California Unemployment Insurance Appeals Board

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Chapter 1@ General

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Section 5012@ Appeal from Withdrawal of Approval of Voluntary Plan

5012 Appeal from Withdrawal of Approval of Voluntary Plan

(a)

An appeal from the withdrawal of the approval of a voluntary plan shall be filed by sending it in writing to the board office. Unless otherwise specified in the code or these rules, the procedures applicable to such an appeal shall be those applicable to board appeals. The agency shall serve such an appeal promptly after the agency receives it.

(b)

Such an appeal shall specify the reason for the appeal. If it does not, the board shall serve notice requiring the appellant to specify the reason by filing and serving it within 20 days after service of such notice. If the appellant fails to comply, the board may order the appeal dismissed.

(c)

If the board decides that evidence shall be taken on such an appeal, it may be taken on behalf of the board before the board, a board member, or an administrative law judge. If evidence is taken before an administrative law judge, the hearing shall be conducted according to the field operations rules.

(d)

The board shall make the initial decision on such an appeal by a majority vote of the board acting as a whole.