

(G) APPEAL TO HEARING EXAMINER.

(1) WITHIN 15 DAYS AFTER THE DATE OF MAILING OF THE NOTICE OR THE DATE OF DELIVERY, A CLAIMANT OR EMPLOYING UNIT ENTITLED TO NOTICE OF A DETERMINATION OR REDETERMINATION UNDER THIS SECTION MAY APPEAL TO THE BOARD OF APPEALS.

(2) UNLESS AN APPEAL OF A DETERMINATION OR REDETERMINATION UNDER THIS SECTION IS WITHDRAWN OR REMOVED TO THE BOARD OF APPEALS, A HEARING EXAMINER DESIGNATED BY THE BOARD OF APPEALS SHALL:

(I) GIVE THE PARTIES A REASONABLE OPPORTUNITY FOR A FAIR HEARING;

(II) MAKE FINDINGS OF FACT AND CONCLUSIONS OF LAW;
AND

(III) ON THE BASIS OF THOSE FINDINGS AND CONCLUSIONS, AFFIRM, MODIFY, OR REVERSE A DETERMINATION OR REDETERMINATION.

(3) IF AN APPEAL INVOLVES AN ISSUE OF WHETHER EMPLOYMENT THAT A CLAIMANT PERFORMED IS COVERED EMPLOYMENT:

(I) THE HEARING EXAMINER SHALL GIVE SPECIAL NOTICE OF THE ISSUE AND APPEAL TO THE SECRETARY AND EMPLOYER; AND

(II) ON RECEIPT OF THE NOTICE, THE SECRETARY AND EMPLOYER SHALL BE PARTIES TO THE PROCEEDING AND BE GIVEN REASONABLE OPPORTUNITY TO OFFER EVIDENCE ON THAT ISSUE.

(4) THE HEARING EXAMINER PROMPTLY SHALL MAIL TO EACH PARTY AT THE LAST KNOWN ADDRESS OF THE PARTY OR OTHERWISE DELIVER TO THE PARTY:

(I) NOTICE OF THE DECISION OF THE HEARING EXAMINER; AND

(II) A COPY OF THE DECISION AND THE FINDINGS OF FACT AND CONCLUSIONS OF LAW THAT SUPPORT THE DECISION.

(5) A DECISION UNDER THIS SUBSECTION IS FINAL UNLESS WITHIN 15 DAYS AFTER THE MAILING OR OTHER DELIVERY OF NOTICE OF THE DECISION, FURTHER REVIEW IS INITIATED UNDER SUBSECTION (H) OF THIS SECTION.

(H) REVIEW BY BOARD OF APPEALS.