

CALIFORNIA UNEMPLOYMENT INSURANCE APPEALS BOARD (C.U.I.A.B.)

HEARING INFORMATION – PLEASE READ IMMEDIATELY

When And Where Is the Hearing

The upper right-hand corner of your Notice of Hearing shows the date, time, and place of your hearing. Read the box carefully. The box tells you to appear either by telephone or in person.

- If the box tells you to appear **by telephone**, follow the instructions carefully. **You are required to call in for the hearing and enter the conference ID number. The judge will not call you.** Please read all papers mailed to you or were available to you on the portal before the hearing.
- If the box tells you to appear **in person**, go to the place listed in the box. **Arrive at least 15 minutes before the hearing time** to review the case file. If you would like to review the documents before the hearing time, register for a My Appeal account (see below) or contact the Office of Appeals listed on the Notice of Hearing.

C.U.I.A.B. “MY APPEAL” On-Line Account

Parties may choose to use the C.U.I.A.B. “My Appeal” on-line portal rather than U.S. Mail, fax or telephone to communicate with the Office of Appeals. If you wish to use this option, and have not done so already, please go to the C.U.I.A.B. website at

<https://CUIAB.ca.gov/myappeal> and register. Once registration is complete, you will receive an email, and you can create a password to access your account. Then, you can review your case online, upload documents into the case file and make requests regarding the appeal. You also will receive email notice of any activity on the appeal.

Can the Hearing Date or Time, or Type of Hearing, Be Changed?

Most hearings are by telephone while some require you to appear in person. You can ask that a telephone hearing be changed to in-person, or an in-person hearing be changed to telephone. The date or time of a hearing will not be changed without a truly compelling reason. Any request to change the date, time or type of hearing must be made as soon as possible through your My Appeal account or by contacting the Office of Appeals.

Why You Should Appear for the Hearing

- The judge will dismiss the case if you filed the appeal and do not appear or submit a written statement or declaration.
- The judge will proceed without your testimony if another party filed the appeal.
- A party may appear by written statement or declaration instead of attending the hearing. A declaration is a written statement that is signed and dated and ends with this sentence, “I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.” A declaration carries more weight as evidence than a simple written statement, but both have less weight than testimony under oath. Written statements or declarations also risk failing to cover all necessary points. Finally, appearing by written statement or declaration will prevent you from requesting another hearing.

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What Will Happen at the Hearing

- The hearing will be recorded.
- The judge will take testimony under oath from all witnesses and decide what documents will be part of the official file.
- Each party can testify about the facts of their case, present witnesses, question their own and any other party's witnesses, provide additional documents, comment on documents presented, and make closing comments.

Witnesses and Documents

You can present witnesses or documents that support your case. Eyewitnesses are best. Multiple witnesses saying the same thing are not necessary. The judge will decide who can testify and what documents will be added to the record. If you are appearing by telephone, provide your witness the call-in information on your hearing notice. Make sure your documents are uploaded or received by the Office of Appeals before the hearing.

What If the Witness Won't Testify or I Don't Have the Documents

Arrangements can be made to require witnesses to appear and/or documents be produced. To do this, submit an action request on your My Appeal account or call the Office of Appeals as soon as possible.

Representation: You have the right to be represented at the hearing by a lawyer or any other person at your own expense. The hearing process is designed for you to represent yourself without the need for a lawyer and most people represent themselves.

Interpreter/Special Accommodations: The Notice of Hearing will tell you if an interpreter will be provided. If that notification is missing and you need an interpreter, call the Office of Appeals right away or submit an action request through the My Appeal account. C.U.I.A.B. will provide an interpreter at the hearing. If you need any other special accommodations, contact the Office of Appeals right away.

What if I Moved: Up-date your My Appeal account profile or contact the Office of Appeals as soon as possible. Claimants should also make sure that E.D.D. has their new address.

Electronic Evidence: If you wish to present evidence that is recorded on a computer, camera, cell phone, DVD or other device and cannot be easily printed, call the Office of Appeals right away.

Canceling Your Appeal: If you filed the appeal, you may ask to cancel it. This is called a request to withdraw. You may withdraw the appeal through your My Appeal account, or by contacting the Office of Appeals.

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Decision/Further Appeal: If you have a My Appeal account, you will receive an email advising that the decision was issued. You will need to go to the portal to download the document. If you do not have a My Appeal account, the decision will be mailed to you. If you disagree with the decision, you can file a further Board appeal through your My Appeal account or by sending the Board Appeal form, or a letter, back to the Office of Appeals.

If You Miss a Hearing: If you have a good reason why you missed a hearing, you can request another hearing. You can submit the request to reopen the appeal through your My Appeal account or by sending a letter to the Office of Appeals within 30 days of the date of decision. You will need to explain why you did not attend the hearing, and if late, why the request was not filed on time.

Governing Procedures: This document gives general information about hearing procedures. It is not the law. The governing procedures are at Unemployment Insurance Code, sections 1951-1960, and California Code of Regulations, Title 22, sections 5000-5111.