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**INDEPENDENT REGULATORY REVIEW COMMISSION
COMMONWEALTH OF PENNSYLVANIA
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August 14, 2003

Honorable Stephen M. Schmerin, Secretary
Department of Labor and Industry
1700 Labor and Industry Building
Harrisburg, PA 17120

Re: Regulation #12-59 (IRRC #2290)
Department of Labor and Industry
Appeals from Determinations of Department

Dear Secretary Schmerin:

The Independent Regulatory Review Commission approved the subject regulation today. Our Order is enclosed and will be available on our website at www.irrc.state.pa.us.

We appreciate the joint effort that went into producing a regulation that meets the criteria and intent of the Regulatory Review Act.

Sincerely,

Alvin C. Bush
Vice Chairman

sfh

Enclosure

cc: Honorable Bob Allen, Majority Chairman, House Labor Relations Committee
Honorable Robert E. Belfanti, Jr., Democratic Chairman, House Labor Relations
Committee
Honorable Joseph B. Scarnati, III, Chairman, Senate Labor and Industry Committee
Honorable Christine M. Tartaglione, Minority Chairman, Senate Labor and Industry Committee

**INDEPENDENT REGULATORY REVIEW COMMISSION
APPROVAL ORDER**

Commissioners Voting:

Public Meeting Held August 14, 2003

Alvin C. Bush, Vice Chairman
Daniel F. Clark, Esq.
Arthur Coccodrilli
Murray Ufberg, Esq.

Regulation No. 12-59
Department of Labor and Industry
Appeals From Determinations of Department

On September 12, 2002, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code Chapter 101. The proposed regulation was published in the September 28, 2002 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 9, 2003.

This regulation revises the manner in which parties in unemployment compensation matters may file appeals. It establishes rules for filing an appeal through personal delivery, the United State Postal Service, a common carrier, fax transmission or electronic transmission other than fax transmission.

We have determined this regulation is consistent with the statutory authority of the Department (43 P.S. §§ 761(a) and 763(d) and 71 P.S. § 565) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

BY ORDER OF THE COMMISSION:

This regulation is approved.





Alvin C. Bush, Vice Chairman