

34A-1-205 Appeals Board -- Chair -- Appointment -- Compensation -- Qualifications.

- (1) There is created the Appeals Board within the commission consisting of three members. The board may call and preside at adjudicative proceedings to review an order or decision that is subject to review by the Appeals Board under this title.
- (2)
 - (a) The governor shall appoint the members with the consent of the Senate and in accordance with this section.
 - (b) One member of the board shall be appointed to represent employers, in making this appointment, the governor shall consider nominations from employer organizations.
 - (c) One member of the board shall be appointed to represent employees, in making this appointment, the governor shall consider nominations from employee organizations.
 - (d) No more than two members may belong to the same political party.
 - (e) The governor shall, at the time of appointment or reappointment, make appointments to the board so that at least two of the members of the board are members of the Utah State Bar in good standing or resigned from the Utah State Bar in good standing.
- (3)
 - (a) The term of a member shall be six years beginning on March 1 of the year the member is appointed, except that the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of members are staggered so that one member is appointed every two years.
 - (b) The governor may remove a member only for inefficiency, neglect of duty, malfeasance or misfeasance in office, or other good and sufficient cause.
 - (c) A member shall hold office until a successor is appointed and has qualified.
- (4) A member shall be part-time and receive compensation as provided by Title 67, Chapter 19, Utah State Personnel Management Act.
- (5)
 - (a) The chief officer of the board shall be the chair, who shall serve as the executive and administrative head of the board.
 - (b) The governor shall appoint and may remove at will the chair from the position of chair.
- (6) A majority of the board shall constitute a quorum to transact business.
- (7)
 - (a) The commission shall provide the Appeals Board necessary staff support, except as provided in Subsection (7)(b).
 - (b) At the request of the Appeals Board, the attorney general shall act as an impartial aid to the Appeals Board in outlining the facts and the issues.

Amended by Chapter 428, 2013 General Session