Rules of
Department of Labor and Industrial Relations
Division 10—Division of Employment Security
Chapter 2—Administration

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Title 8—DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
Division 10—Division of Employment Security
Chapter 2—Administration

8 CSR 10-2.010 Maintenance and Disposal of Records
(Rescinded July 11, 1980)


8 CSR 10-2.020 Charges for Copies of Records, Reports, Decisions, Transcripts or Other Papers or Documents

PURPOSE: This rule establishes the method by which the director establishes the rate of charge for furnishing copies of documents to persons entitled to those records. This rule implements section 288.360.3, RSMo.

(1) Copies of any records, reports, decisions, transcripts or other papers or documents from the division's files may be furnished to any person entitled to inspect those records upon the payment to the division of the charges established by the director. These charges are established in January of each year. A pamphlet listing the charges and the required payment procedure is made available by the division to all interested persons.

(2) Exceptions to the provisions of section (1) of this rule are as follows:
   (A) The division may, within its discretion, to provide records without payment to any party who is otherwise authorized to receive them and who qualifies for free records under 20 CFR Part 603. In such cases, the division will make a finding that the information is necessary for the proper administration of the unemployment compensation program, that the disclosure involves no more than an incidental amount of staff time and no more than nominal processing costs, or that the division has a reciprocal agreement in place with the recipient, under which both parties receive approximately equal benefits; or
   (B) In any proceeding pending before an appeals tribunal, claimants or their attorneys, upon request in writing to the appeals tribunal, shall be supplied with information from the division's records without charge to the extent necessary for the proper preparation and presentation of any claim for unemployment or any appeal.

(3) Checks or drafts covering payment of charges shall be made payable to the Division of Employment Security and on receipt shall be deposited in the Unemployment Compensation Administration Fund.


8 CSR 10-2.030 Administrative Orders of the Director to Cover Emergency Situations

PURPOSE: This rule allows the director of the division, under special emergency circumstances, to temporarily substitute requirements of the division's rules by administrative order in order to conserve the rights of claimants, employers or employing units. This rule implements section 288.220, RSMo.

(1) When claimants for benefits, employers or employing units have been prevented from meeting any of the requirements of the division's rules by reason of an emergency, the director by administrative order temporarily may substitute for any of the requirements of the rules other requirements as are reasonable and proper under special emergency circumstances to conserve the rights of the claimants, employers or employing units.


Keitel v. Harris 353 Mo. 1043, 186 SW2d 31 (1945). The Unemployment Compensation Commission (now Division of Employment Security) has been classified as a subordinate branch of the executive department. It is not a court in a constitutional sense. Under the constitution, a purely administrative body, or even a quasi judicial body, cannot be a court.

8 CSR 10-2.040 Facsimile Transmitted Legal Filings
(Rescinded June 7, 1993)