CALL-IN PROCEDURE

The New Mexico Department of Workforce Solutions Appeals Tribunal has modified the procedure that hearing participants must follow to participate in their scheduled hearings. These changes are designed to make the call-in process more flexible and provide both parties (claimants and employers) with a wider window of time in which to submit their callback information to the Tribunal.

A Notice of Hearing letter will be sent to each party by mail and can be viewed by logging into your Unemployment Insurance online account. Individuals can log in at www.jobs.state.nm.us. Employers can log in at www.dws.state.nm.us. Upon receiving this letter, each party will be able to call in at any time to provide their callback information and must do so by 4:00 p.m. MST of the business day before the scheduled hearing. The number to call the Appeals Tribunal will be provided in the Notice of Hearing letter.

If the hearing is scheduled for Monday, the deadline for calling the Tribunal with callback information is 4:00 p.m. MST the Friday before the hearing.

If the hearing is scheduled for a Tuesday, Wednesday, Thursday, or Friday, the deadline is 4:00 p.m. MST the day before the hearing.

Parties providing their callback information must call the Tribunal during regular business hours (8:00 a.m. – 4:00 p.m., Monday – Friday) and speak with an employee of the Appeals Tribunal.

Claimants and employers should be ready to provide the Claimant ID and Issue ID numbers appearing at the top of their Notice of Hearing in order to authenticate their authority to participate in the hearing.

For more specific instructions and guidelines with regard to the call-in procedure, each party should refer to their Notice of Hearing letter. Additional information is also available via the “How to Prepare for your Unemployment Insurance Appeal Hearing” publication.

CONTACT INFORMATION

Appeals Tribunal
P.O. Box 1928
Albuquerque, NM 87103

Toll-free Phone:
1-800-227-7325 (if in New Mexico)
1-800-545-0533 (if outside of New Mexico)

Local Phone: (505) 383-2700
Fax: (505) 841-8636

Download a QRcode reader app on your smart phone to scan the code for more information about the Appeals Process.

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WHAT IS AN APPEAL HEARING?

An appeal hearing is an informal legal proceeding with the claimant and the employer that gives each party an opportunity to present their case. Testimony is given under oath, evidence such as documents may be presented and each side can cross-examine the other.

The majority of appeal hearings are conducted by conference call over the phone. In-person hearings are granted in rare circumstances. An appeal hearing can last anywhere from a half hour to an hour depending on the issue.

USING DOCUMENTS IN YOUR APPEAL HEARING

Documents can be compelling evidence in your Unemployment Insurance appeal

The appeal hearing is your opportunity to make your case. In the appeal hearing, you will create a record by offering testimony, argument, and in some cases, documentary evidence. Documents often become critical items of evidence in an unemployment case, and you can win or lose a case on documents. If you wish to submit and rely on documents in your hearing, you must follow certain basic rules.

Be selective when submitting documents

You should evaluate the critical facts of your case to determine whether you need documents or not. The Department will not be able to give you advice regarding what documents you should use for your case. Generally, however, you should limit the documents you submit to those that are relevant to the issues being discussed in the appeal hearing. You are permitted to submit as many pages as you need, but usually you should not need more than 20 pages. In any event, if you choose to fax documents to the Tribunal, you may not send more than 10 pages. If you have more than 10 pages to submit, you should send those in by mail.

Documents must be submitted to the Opposing Party 48 hours in advance

If you want the Appeals Tribunal to consider your documents at the hearing, you must assure that the opposing party receives the documents at least 48 hours before the scheduled hearing. Even if you have already sent the documents to the claims adjudicator, you must still send the documents to the opposing party. If you do not disclose your documents at least 48 hours in advance, you run the risk that the Appeal Judge will exclude them from the hearing.

Documents must be submitted to the Appeals Tribunal 48 hours in advance

In addition to sending any documents you wish to rely on to the opposing party, you must submit those same documents to the Appeals Tribunal 48 hours before the scheduled hearing. Again, failure to properly disclose these documents may lead to their being excluded.

To be clear, you must send any documents you want to rely on to two different parties: First, you must get the documents to the opposing party at least 48 hours before the hearing. Second, you must send the documents to the Appeals Tribunal at least 48 hours before the hearing. If you fail to do either, you run the risk of having the documents excluded from the hearing.

Documents must be properly marked and labeled

Even if your documents are submitted on time, they may be excluded if they are not properly labeled and organized. At a minimum, you should make sure that every document you submit contains:

1) The claimant’s name
2) The appeal (issue ID) number
3) The date and time of the hearing
4) The assigned Administrative Law Judge’s name

You must also number each page of your document or documents. Claimants should number their pages C1, C2, C3, etc., and employers should label their documents pages E1, E2, E3, etc. Remember, these are not exhibit numbers. They are page numbers that will help all parties in identifying and reviewing documents together over the telephone.

FOR COMPLETE INFORMATION, VISIT OUR WEBSITE AT WWW.DWS.STATE.NM.US