**Section 1220.50 Hearings**

a) Upon the issuance of a complaint for hearing, the Board shall set the matter for hearing before an Administrative Law Judge. The hearing shall be set *not less than* *5* *days after serving of* *such complaint.* (Section 11(a) of the Act)

b) Interested persons who wish to intervene in the hearing shall direct such requests to the Administrative Law Judge. Motions shall be made in accordance with 80 Ill. Adm. Code 1200.45. The request shall be in writing and shall state the grounds for intervention. The Administrative Law Judge shall have discretion to grant or deny the request for intervention. The decision shall be based upon the interests of the intervenor, whether those interests will be adequately protected by existing parties, and the timeliness of the intervenor's request.

c) Pursuant to 80 Ill. Adm. Code 1200.40, the Administrative Law Judge may schedule a pre-hearing conference when it appears that such a conference would expedite the procedure.

d) Intermediate rulings of the Administrative Law Judge shall not be subject to interlocutory appeal. Parties may raise objections to intermediate rulings in their exceptions to the Administrative Law Judge's recommended decision.

e) The charging party shall present its case in support of the charge. The charging party shall have the burden of proving the allegations of its unfair labor practice charge. The respondent may present evidence in support of its defense.

f) Any audio or video file that a party wishes to introduce into evidence must be provided to the Administrative Law Judge in advance of the hearing on a CD-ROM or DVD, and also as an email attachment. Four copies of the CD-ROM or DVD must be submitted in total to the Administrative Law Judge.

g) The Administrative Law Judge, on the Judge's own motion or on the motion of a party, may amend a complaint to conform to the evidence presented in the hearing or to include uncharged allegations at any time prior to the issuance of the Judge's recommended decision and order.

h) The Administrative Law Judge shall inquire fully into all matters in dispute, and shall obtain a full and complete record either by evidentiary hearing and/or stipulation. After the close of the hearing, the Administrative Law Judge shall file and serve on the parties a recommended decision.

i) If the charging party fails to appear at the hearing after proper service of notice, the Administrative Law Judge shall dismiss for want of prosecution. If the respondent fails to appear, the Administrative Law Judge shall proceed in the absence of the respondent and issue a recommended decision and order.

j) All exceptions, cross-exceptions, responses and cross-responses to the Administrative Law Judge's recommended decision and order shall be filed and served in accordance with 80 Ill. Adm. Code 1200.135.

(Source: Amended at 48 Ill. Reg. 18025, effective December 5, 2024)