

Industrial Commission hearings

Continuance requests

If you are an employer who has an injured worker with an active workers' compensation claim, then there is a good chance that you will be scheduled for an Industrial Commission (IC) hearing at some point in time.

The Industrial Commission adjudicates all contested matters and will schedule a hearing at one of the 12 IC offices located throughout the state. Typically, the hearing is scheduled at the IC office closest to the Injured Worker's home address.

Occasionally, when the hearing is set there is a need to request a continuance (postponement) of the hearing. In order to have a hearing successfully continued there are a few best practices that can help move the request in a positive direction.

The first step is identifying and communicating to the Industrial Commission that there is "good cause" or an "extraordinary circumstance" that warrants the request.

Let's first review a "good cause" continuance request. For a continuance request to be considered "good cause" it must be filed with the Commission at least five calendar days prior to the date of the hearing. This scenario most often accompanies a known schedule conflict that cannot be adjusted so that you are able to attend the hearing. Providing as much proof as you can to support your schedule conflict is the best option for securing a successful continuance. This can be in the form of a statement on your company letterhead detailing the specifics of the conflict or perhaps copies of travel documents that show you will be out of town on the date of the hearing.

The next category is "extraordinary circumstance". This scenario most often involves unexpected illness, hospitalization, or family emergency. These are circumstances that could not have been foreseen or pre-planned and can be requested up to the day of the hearing.

When either type of continuance request is needed a continuance request form can be completed on the Industrial Commission's website or you can print off the continuance request form and fax it directly to the IC office where the hearing is scheduled.

All hearing continuance requests are processed and addressed by the local Hearing Administrator. It is their sole discretion as to whether the request meets one of the above two standards.

As with all hearing related items, your claims team at Sedgwick can help you file your request for continuance and make sure that the IC's best practices are followed.

If you have any questions, contact our Sedgwick program manager, David Deyo, at 614-376-5401 or david.deyo@sedgwick.com.