



ADMINISTRATIVE RULES OF MONTANA



24.22.347 APPEALS

- (1) An employer has the right to appeal when the department:
 - (a) decides not to award grant funding for incumbent worker training; or
 - (b) awards less grant funding than requested.
- (2) If an employer disagrees with the department's decision to not approve an application, or to approve less funding than was requested, the employer may either:
 - (a) request an administrative review within 30 calendar days of the date of the notice of the department's decision regarding the application. The employer may seek informal administrative review of a decision by submitting a written request for an administrative review to the department: Department of Labor and Industry, Incumbent Worker Training Program, P.O. Box 1728, Helena MT 59604-1728, or electronically to iwt@mt.gov; or
 - (b) request a contested case proceeding within 20 calendar days of the date of the notice of final decision of the department, which may be the result of an administrative review requested pursuant to (a). The employer shall submit a written request to the department for a contested case proceeding, pursuant to Title 2, chapter 4, MCA, at the address provided in this rule.
- (3) The employer bears the burden of demonstrating that the action by the department constitutes an abuse of discretion.

Authorizing statute(s): 53-2-1220, MCA

Implementing statute(s): 53-2-1217, 53-2-1218, MCA

History: NEW, 2017 MAR p. 2433, Eff. 1/1/18.