

5500.2500 EVIDENCE.

The board shall hear all evidence which is competent, relevant, and material to the issue. The board shall not conduct any hearing hereunder unless all parties to the dispute are present in person or by their designated representatives; provided, however, that a hearing may proceed in the absence of any party who consents thereto, or who fails to appear after due notice of the hearing, or who leaves without being excused by the board. The board may, however, make any independent inspection of the subject matter of the dispute, or make such inquiries or obtain such information outside of the hearings as it may deem necessary and proper; provided, however, that the parties to the dispute shall be afforded an opportunity to examine any evidence so secured, and to introduce evidence in opposition thereto, unless the right to such examination and introduction of evidence is waived in writing. The parties shall furnish such evidence as the board may require, as far as possible and the failure to produce such evidence when required may be considered by the board in making its award. The board may, at its discretion, receive written briefs, and shall fix at the close of the hearings the time within which the same shall be served upon the opposing parties and filed with proof of such service.

Statutory Authority: *MS s 179.71*

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