

341.420 Appointment of referees -- Appeals -- Effect on other proceedings.

- (1) The secretary shall appoint one (1) or more impartial referees according to KRS 341.125 to hear and decide appealed claims.
- (2) A party to a determination may file an appeal to a referee as to any matter therein within thirty (30) days after the date such determination was mailed to his last known address.
- (3) If benefits are allowed by a determination of the secretary, or a decision of a referee, the commission, the secretary, or a reviewing-court, such benefits shall be paid promptly without regard to the pendency of an appeal or period for filing an appeal therefrom. If a determination or decision allowing benefits is modified or reversed by a subsequent determination or decision, benefits shall be paid or denied for weeks of unemployment thereafter in accordance with such modification or denial. No injunction, supersedeas, stay or other writ or process suspending payment of such benefits shall be issued.
- (4) Unless such appeal is withdrawn, a referee, after affording the parties reasonable opportunity for a fair hearing, shall affirm or modify the determination. The parties shall be duly notified of his decision, together with the reasons therefor, which shall be deemed to be the final decision unless within thirty (30) days after the date of mailing of such decision, further appeal is initiated under KRS 341.430.
- (5) No finding of fact or law, judgment, conclusion, or final order made with respect to a claim for unemployment compensation under this chapter may be conclusive or binding in any separate or subsequent action or proceeding in another forum, except proceedings under this chapter, regardless of whether the prior action was between the same or related parties or involved the same facts.

Effective: March 12, 2021

History: Amended 2021 Ky. Acts ch. 16, sec. 4, effective March 12, 2021. -- Amended 2006 Ky. Acts ch. 211, sec. 151, effective July 12, 2006. -- Amended 1992 Ky. Acts ch. 133, sec. 4, effective July 14, 1992. -- Amended 1974 Ky. Acts ch. 70, sec. 1; and ch. 74, Art. VI, sec. 107(31). -- Amended 1972 Ky. Acts ch. 21, sec. 29. -- Amended 1952 Ky. Acts ch. 154, sec. 16. -- Amended 1950 Ky. Acts ch. 206, sec. 1. -- Amended 1948 Ky. Acts ch. 216, sec. 16. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4748g-11.