

Sec. 31-237g-45. Disqualification of Board members; assignment of alternative members

(Statutory reference: 31-237f; P.A. 87-468)

(a) A Board member shall voluntarily disqualify himself and withdraw from participating in any proceeding or decision on an appeal before the Board if such member has any direct or indirect interest in such appeal.

(b) A challenge to the interest of any Board member may be made by any party to the proceeding, or the attorney or authorized agent for such party, by a written petition which should (1) be prepared and filed with the Board in accordance with Section 31-237g-10 (a) of these regulations; (2) be entitled "Challenge to the Interest of a Member of the Employment Security Board of Review"; and (3) state the grounds for such challenge. Unless the challenge is terminated by voluntary disqualification, upon receipt by the Board of Review of such a petition, the Board shall mail the original petition to the clerk of the appropriate Superior Court and shall mail copies of such petition to each other party to the proceeding. Such challenge may be claimed for short calendar and shall be decided by the Superior Court. If the challenge is upheld, the Administrator shall so advise the Governor, and the Governor shall, in accordance with Section 31-237f of the Connecticut General Statutes, assign an alternate member appointed pursuant to Section 31-237c of the Connecticut General Statutes, provided the Staff Assistant shall, as Acting Chairman, substitute for the Chairman. Until such challenge is withdrawn, decided or otherwise terminated in accordance with this section, no proceedings shall occur at the Board with regard to such file.

(c) Whenever a Board member is disqualified pursuant to subsection (a) or (b) of this section, an alternate Board member, appointed pursuant to Section 31-237c of the Connecticut General Statutes and Section 31-237g-2(b) of these regulations, shall serve in place of such Board member.

(Effective January 1, 1988; Amended October 27, 1997)