**Section 240.310 Fact-Finding Conference**

As part of its investigation, the Department may convene a fact-finding conference in person or by telephone for the purpose of obtaining additional information or evidence, identifying the issues in dispute, ascertaining the positions of the parties and exploring the possibility of settlement. The fact-finding conferences will be limited to those issues the Department believes to be relevant.

a) Notice of the conference shall be given to all parties at least 15 calendar days prior to the conference and shall identify the individuals requested to attend on behalf of each party.

b) A party may be accompanied at a fact-finding conference by the party's attorney or other representative and by a translator if necessary.

c) A Department investigator shall conduct the conference and control the proceedings. No tape recordings, stenographic report or other verbatim record of the conference shall be made. If any person fails to cooperate at the conference and becomes so disruptive or abusive that a full and fair conference cannot be conducted, the Department investigator shall exclude the person from the conference.

d) A party who appears at the conference exclusively through an attorney or other representative unfamiliar with the events at issue shall be deemed to have refused to attend, unless, with respect to a contractor, the contractor establishes that it does not employ or control any person with knowledge of the events at issue. A complainant who refuses to attend a fact-finding conference may be dismissed from the complaint pursuant to Section 240.220. If a contractor or complainant refuses to attend a fact-finding conference, the Department shall make a determination based upon the evidence provided to the Department.

(Source: Amended at 38 Ill. Reg. 18500, effective August 21, 2014)