



Montana Department of  
**LABOR & INDUSTRY**

**Laura Fix, Chairperson**  
**Jenny Iverson, Member**  
**Ruthanne Hansen, Substitute Member**

**Board Meeting Agenda, Wednesday March 3, 2021**

**Important Note: Due to the safety measures adopted by the Department of Labor & Industry in response to the COVID-19 pandemic, these reviews will be held remotely/via teleconference only.**

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**8:30 A.M.**

Call to order-

Staff attorney's comments-

Public comments-

Approval of Minutes-

## SCHEDULED REVIEWS

### **Between 8:30 A.M. to 9:00 A.M.**

#### **Case # 705-2021**

**ISSUE:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

### **Between 9:00 A.M. to 10:00 A.M.**

#### **Case # 776-2021**

**ISSUE 1:** Whether the appeal was timely filed or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (82 days late to OAH).

**ISSUE 2:** Whether the claimant is ineligible to receive benefits during an approved leave of absence as provided in *Montana Code Annotated* § 39-51-2112.

#### **Case # 809-2021**

**ISSUE 1:** Whether the claimant is ineligible to receive benefits because of a failure to provide information requested by the department and necessary to determine the eligibility of the claim, in accordance with *Montana Code Annotated* § 39-51-2104 and Administrative Rules Montana 24.11.452A.

#### **Case # 773-2021**

**ISSUE :** Whether the claimant is disqualified to receive benefits due to a failure to apply for or accept suitable work without good cause, as provided in *Montana Code Annotated* § 39-51-2304.

### **Between 10:00 A.M. to 11:00 A.M.**

#### **Case # 844-2021**

**ISSUE:** Whether the claimant established good cause to backdate her claim as provided in v § 39-51-2104(1) (a) and Administrative Rules Montana 24.11.441(5).

#### **Case # 802-2021**

**ISSUE:** Whether the request for redetermination was timely filed or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (861 days late to OAH).

#### **Case # 869-2021**

**ISSUE:** Whether the claimant is ineligible for benefits during an approved leave of absence as provided in *Montana Code Annotated* § 39-51-2112.

**Between 11:00 A.M. to 12:00 P.M.**

**Case # 830-2021**

**ISSUE:** Whether the claimant has shown good cause to backdate the claim as provided in *Montana Code Annotated* § 39-51-2104(1) (a) and Administrative Rules Montana 24.11.441 (5).

**Case # 842-2021**

**ISSUE 1:** Whether the appeal was timely filed or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (8 days late to OAH).

**ISSUE 2:** Whether the request for redetermination was timely filed or whether the appellant had good cause to delay filing the request for redetermination as provided in *Montana Code Annotated* § 39-51-2402 (3).

**Case # 739-2021**

**ISSUE:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Between 1:00 P.M. to 2:00 P.M.**

**Case # 170-2021**

**ISSUE 1:** Whether good cause exists for the UIAB to accept new evidence, under Administrative Rules Montana 24.7.312(2).

**ISSUE 2:** Whether the appeal was timely filed or whether the appellant has good cause for untimely filing the appeal as provided in *Montana Code Annotated* § 39-51-2403. (117 days late to UIAB).

**ISSUE 3:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 786-2021**

**ISSUE:** Whether the claimant is qualified to receive benefits under the CARES Act PEUC provision, Pub. L. No. 116-136, based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 801-2021**

**ISSUE 1:** Whether good cause exists for the UIAB to accept new evidence, under Administrative Rules Montana 24.7.312(2).

**ISSUE 2:** Whether the appeal was timely filed or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (16 days late to OAH).

**Case # 801-2021 (continued)**

**ISSUE 3:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Between 2:00 P.M. to 3:00 P.M.**

**Case # 748-2021**

**ISSUE 1:** Whether the appeal was timely filed or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (21 days late to OAH).

**ISSUE 2:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 811-2021**

**ISSUE:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 846-2021**

**ISSUE:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Between 3:00 P.M. to 4:00 P.M.**

**Case # 797-2021- POSTPONED**

**ISSUE:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 796-2021**

**ISSUE:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 847-2021**

**ISSUE 1:** Whether there was good cause to accept new evidence, under Administrative Rules Montana 24.7.312(2).

**ISSUE 2:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Between 4:00 P.M. to 5:00 P.M.**

**Case # 626-2021**

**ISSUE:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 753-2021**

**ISSUE 1:** Whether good cause exists for the UIAB to accept new evidence, under Administrative Rules Montana 24.7.312(2).

**ISSUE 2:** Whether the claimant is qualified to receive benefits under the CARES Act PEUC provision, Pub. L. No. 116-136, based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

**Case # 760-2021**

**ISSUE:** Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).