



Laura Fix, Chairperson
Ruthanne Hansen, Member
Derek Oestreicher, Member

Board Meeting Agenda, Wednesday February 1, 2023

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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<https://us06web.zoom.us/j/88629804695?pwd=L3JkN1pPN1BoZTNrSWV6VW9tWE5Bdz09>

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+1 309 205 3325 US

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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 # 411-2023 - REMANDED

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). (2 days late to OAH).

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 9:00 A.M. to 10:00 A.M.

Case # 426-2023 – EXECUTIVE SEALED

ISSUE 1: Whether there was good cause 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). (70 days late to OAH).

ISSUE 3: Whether the claimant is available for work, able to work, and seeking work, and therefore is eligible to receive benefits within the meaning of the law, as provided in *Montana Code Annotated* § 39-51-2104 and Administrative Rules Montana 24.11.452A.

Case # 435-2023

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). (112 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 # 441-2023

ISSUE: Whether the claimant was overpaid benefits, and in what amount, pursuant to *Montana Code Annotated* § 39-51-3206 and Administrative Rules Montana 24.11.1205.

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

Case # 428-2023

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 # 402-2023

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). (89 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 # 404-2023

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

Case # 461-2023

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 # 451-2023

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 # 475-2023

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).