



Montana Department of  
**LABOR & INDUSTRY**

**Laura Fix, Chairperson**  
**Jenny Iverson, Member**  
**Chris Gallus, Member**

**Board Meeting Agenda, Wednesday January 26, 2022**

**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 # 750-2022**

**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). (14 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.

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

**Case # 685-2022**

**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). (240 days late to OAH).

**ISSUE 2:** Whether the claimant knowingly made a false statement or knowingly failed to disclose material facts in order to obtain or increase benefits and is therefore subject to a penalty under *Montana Code Annotated* § 39-51-3201.

**Case # 631-2022-SEALED**

**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.

**Case # 716-2022**

**ISSUE 1:** 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. (13 days late to UIAB).

**ISSUE 2:** 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 # 768-2022**

**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 ineligible to receive benefits during an approved leave of absence as provided in *Montana Code Annotated* § 39-51-2112.

**Case # 776-2022-SEALED-WITHDRAWN**

**ISSUE:** 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 # 775-2022-SEALED-WITHDRAWN**

**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 # 772-2022**

**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). (30 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 # 690-2022**

**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 # 769-2022**

**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). (18 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).

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

**Case # 773-2022**

**ISSUE 1:** 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. (6 days late to UIAB).

**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). (58 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).

**Case # 2102-2021**

**ISSUE 1:** 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. (38 days late to UIAB).

**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 # 480-2022**

**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).