Montana Department of LABOR & INDUSTRY

Laura Fix, Chairperson
Vicki Caissey, Member
Derek Oestreicher, Member

Board Meeting Agenda, Wednesday November 4, 2026

Important Note: The Board has discretion to conduct its review in person or remotely pursuant to Administrative Rules Montana 24.7.305(2) and has chosen to hold these reviews remotely/via teleconference only.

This meeting is being recorded. Pursuant to *Montana Code Annotated* 2-3-212(1), this is the official audio recording of the Unemployment Insurance Appeal Board Meeting for November 4, 2026 and is the official record of the meeting. As Administrative Assistant to the Board, I keep the meeting minutes, which are open and available to the public by inspection.

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8:15 A.M.

Call to order-
Staff attorney's comments-
Public comments-
Approval of Minutes-

Montana Department of LABOR & INDUSTRY

SCHEDULED REVIEWS

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

Case # 00166-2027
ISSUE 1: Whether the Appellant showed good cause to extend the 10-day appeal deadline pursuant to *Montana Code Annotated* § 39-51-2403 and Administrative Rules Montana 24.40.101(14). (1 day late to appeal to UIAB).

ISSUE 2: Whether the Hearing Officer erred in determining that the department properly denied the claimant's request for waiver of overpayment restitution for benefits received as provided in *Montana Code Annotated* § 39-51-3206, Administrative Rules Montana 24.40.1109 and Administrative Rules Montana 24.40.1109(2).

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

Case # 00209-2027
ISSUE 1: Whether the Appellant showed good cause to extend the 10-day appeal deadline pursuant to *Montana Code Annotated* § 39-51-2403 and Administrative Rules Montana 24.40.101(14). (7 days late to appeal to UIAB).

ISSUE 2: Whether the Hearing Officer erred in determining that the Appellant untimely filed the request for redetermination and did not show good cause to extend the 10-day appeal period pursuant to *Montana Code Annotated* § 39-51-2402(3) and Administrative Rules Montana 24.40.101(14). (21 days late to request redetermination).

Case # 00210-2027 - **SEALED**
ISSUE 1: Whether the Appellant showed good cause to extend the 10-day appeal deadline pursuant to *Montana Code Annotated* § 39-51-2403 and Administrative Rules Montana 24.40.101(14). (7 days late to appeal to UIAB).

ISSUE 2: Whether the Hearing Officer erred in determining that the claimant was not available for work and able to work and was therefore ineligible to receive benefits as provided in *Montana Code Annotated* § 39-51-2104(1)(b) and Administrative Rules Montana 24.40.801(1)(f).

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

Case # 00156-2027 - **POSTPONED**
ISSUE: Whether the Hearing Officer erred in determining that the Appellant untimely filed the request for redetermination and did not show good cause to extend the 10-day appeal period pursuant to *Montana Code Annotated* § 39-51-2402(3) and Administrative Rules Montana 24.40.101(14). (23 days late to request redetermination).

Case # 00294-2027
ISSUE: Whether the Hearing Officer erred in determining that the claimant did not demonstrate shown good cause to backdate the claim as provided in *Montana Code Annotated* § 39-51-2104(1)(a), Administrative Rules Montana 24.40.803, and Administrative Rules Montana 24.40.101(14).

Case # 0076-2027
ISSUE: Whether the Hearing Officer erred in determining that the claimant is not qualified to receive benefits based upon the separation from employment, i.e. discharged for misconduct, pursuant to *Montana Code Annotated* §§ 39-51-201(19) and 39-51-2303.

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

Case # 00218-2027
ISSUE: Whether the Hearing Officer erred in determining that the claimant is not qualified to receive benefits based upon the separation from employment, i.e. discharged for misconduct, pursuant to *Montana Code Annotated* §§ 39-51-201(19) and 39-51-2303.

Case # 00269-2027
ISSUE: Whether the Hearing Officer erred in determining that the claimant is not qualified to receive unemployment insurance benefits based upon the separation from employment, i.e. leaving work without good cause attributable to the claimant's employment, pursuant to *Montana Code Annotated* § 39-51-2302 and Administrative Rules Montana 24.40.615.

Case # 00167-2027
ISSUE 1: Whether new evidence submitted by the Appellant meets the requirements of Administrative Rules Montana 24.7.306(3) and the Board should admit it into the record, or if the new evidence includes written argument which meets the requirements of Administrative Rules Montana 24.7.304(3), the written argument should be admitted under 24.7.306(1).

ISSUE 2: Whether the Appellant showed good cause to extend the 10-day appeal deadline pursuant to *Montana Code Annotated* § 39-51-2403 and Administrative Rules Montana 24.40.101(14). (11 days late to appeal to UIAB).

ISSUE 3: Whether the Hearing Officer erred in determining that the claimant is not qualified to receive unemployment insurance benefits based upon the separation from employment, i.e. leaving work without good cause attributable to the claimant's employment, pursuant to *Montana Code Annotated* § 39-51-2302 and Administrative Rules Montana 24.40.615.