



**Laura Fix, Chairperson**  
**Jenny Iverson, Member**  
**Derek Oestreicher, Member**

### **Board Meeting Agenda, Wednesday October 4, 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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**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 # 4-2024**

**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 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 # 5-2024 – SEALED**

**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).

**Case # 61-2024 – SEALED**

**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 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 # 92-2024**

**ISSUE:** 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). (295 days late).

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

**Case # 88-2024**

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

**ISSUE 2:** Whether the department properly denied the claimant's request for waiver of overpayment restitution as provided in *Montana Code Annotated* § 39-51-3206 and Administrative Rules Montana 24.11.1207.

**Case # 64-2024**

**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 # 49-2024 - SEALED**

**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 # 59-2024**

**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 # 56-2024**

**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 # 972-2023**

**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. (61 days late to UIAB).



**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).

**MUSE Discussion-** Claimant Center/Employer Center Training Review for the UIAB Board Members.