



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

### **Board Meeting Agenda, Wednesday October 5, 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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+1 646 931 3860 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 # 27-2023 - SEALED**

**ISSUE:** Whether the claimant may obtain benefits during a period between academic terms based on services provided to an educational institution with reasonable assurance of providing similar services in a subsequent academic year, as provided in *Montana Code Annotated* § 39-51-2108 and Administrative Rules Montana 24.11.464.

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

**Case # 1662-2022 - SEALED**

**ISSUE:** Whether the claimant is qualified to receive Pandemic Unemployment Assistance (PUA) benefits under Section 2102 of the CARES Act of 2020, Public Law 116-136.

**Case # 70-2023**

**ISSUE:** 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 # 78-2023**

**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. (8 days late to UIAB).

**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.

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

**Case # 83-2023**

**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. (2 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). (57 days late to OAH).

**ISSUE 3:** 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 # 82-2023**

**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. (2 days late to UIAB).

**ISSUE 2:** Whether the appeal was timely filed for FPEUC benefits, Pub. L. No. 116-136 or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (57 days late to OAH).

**ISSUE 3:** 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 # 44-2023**

**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. (4 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).

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

**Case # 135-2023**

**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).