



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.

[Join Zoom Meeting by telephone](#)

<https://us06web.zoom.us/j/83936398132?pwd=bU5uWGtYaFNuVC9vbGpXejZJMFQxdz09>

Meeting ID: 839 3639 8132

Passcode: 7Y56zq

One tap mobile

+14086380968,,83936398132#,,,,*185039# US (San Jose)

+16694449171,,83936398132#,,,,*185039# US

Dial by your location

+1 408 638 0968 US (San Jose)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 719 359 4580 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 386 347 5053 US

+1 564 217 2000 US

+1 646 876 9923 US (New York)

+1 646 931 3860 US

+1 301 715 8592 US (Washington DC)

833 548 0276 US Toll-free

833 548 0282 US Toll-free

877 853 5257 US Toll-free

888 475 4499 US Toll-free

Meeting ID: 839 3639 8132

Passcode: 185039

Find your local number: <https://us06web.zoom.us/j/83936398132?pwd=bU5uWGtYaFNuVC9vbGpXejZJMFQxdz09>

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 - POSTPONED

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 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 for untimely filing the appeal as provided in *Montana Code Annotated* § 39-51-2403. (4 days late to UIAB).

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 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).