

BEFORE THE UNEMPLOYMENT INSURANCE APPEALS BOARD

TO THE OFFICE OF ADMINISTRATIVE
HEARINGS

**STANDING ORDER OF THE
UNEMPLOYMENT INSURANCE
APPEALS BOARD**

The Unemployment Insurance Appeals Board (UIAB), through its Board Chair Laura Fix, acknowledges both UIAB's authority to act in a quasi-judicial capacity to hear disputes concerning the administration of Montana's unemployment insurance laws pursuant to Mont. Code Ann. § 39-51-310, and an interested parties' right, if dissatisfied with a decision of an appeals referee to appeal that decision to UIAB under Mont. Code Ann. § 39-51-2404. *See also* Admin. R. Mont. 24.7.305 and 24.7.306(2). Finding that an interested party's request to reopen a hearing conducted by the Office of Administrative Hearings (OAH) is not an appeal of a decision issued by an appeals referee, UIAB now determines that it is not authorized in statute or administrative rule to review a party's initial request to reopen a hearing conducted by OAH.

UIAB ISSUES THE FOLLOWING STANDING ORDER: UIAB will neither consider nor conduct a hearing or other proceeding to address interested parties' initial requests to reopen a hearing conducted by OAH. Should an interested party file a request to reopen an OAH hearing with UIAB, UIAB's Administrative Assistant shall administratively dismiss, without prejudice, such request and correlating case after verifying that the requesting party meant to request the reopen and not instead appeal the OAH decision. Further, UIAB's Administrative Assistant shall redirect such requests and their attached cases back to the appeals referee or OAH which shall

consider and address such initial requests to reopen its hearings pursuant to its own rules, processes, and authority, if any.

Should OAH determine that it does not have statutory or administrative authority to reopen hearings upon party request, parties may subsequently file an appeal to UIAB. If such appeal is made after the OAH Decision's original 10-day appeal period established by Mont. Code Ann. § 39-51-2403, UIAB may consider the delay caused by the request to reopen when determining whether there is good cause to extend the appeal period under Mont. Code Ann. § 39-51-2403 and Admin. R. Mont.

24.40.101(14).

DATED this 22nd day of April 2026.

UNEMPLOYMENT INSURANCE APPEALS BOARD

By:



UIAB BOARD CHAIR

Laura Fix

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing
General Standing Order was, this day, served upon Office of Administrative

Hearings as follows:

Office of Administrative Hearings
dlihearings@mt.gov

DATED: April 22, 2026



UIAB Administrative Assistant
Tiffany Gilbert