



Laura Fix, Chairperson
Jenny Iverson, Member
Ruthanne Hansen, Member

Board Meeting Agenda, Wednesday April 7, 2021

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 # 797-2021

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

Case # 170-2021

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. (117 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).

Case # 842-2021

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). (8 days late to OAH).

ISSUE 2: 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).

Case # 445-2021

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. (97 days late to UIAB).

ISSUE 2: Whether the claimant established good cause to backdate her claim as provided in *Montana Code Annotated* § 39-51-2104(1) (a) and Administrative Rules Montana 24.11.441 (5).

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

Case # 848-2021

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. (10 days late to UIAB).

ISSUE 2: Whether the claimant is disqualified to receive benefits due to a failure to apply for or accept suitable work without good cause, as provided in *Montana Code Annotated* § 39-51-2304

Case # 897-2021

ISSUE: 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 # 954-2021

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

Case # 1832-2021

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. (1002 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). (11 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 # 998-2021

ISSUE: Whether the claimant had good cause to delay filing bi-weekly claim information as provided in Administrative Rules Montana 24.11.443.

Case # 949-2021

ISSUE: 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 1:00 P.M. to 2:00 P.M.

Case # 951-2021

ISSUE: 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 # 950-2021

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 # 1009-2021

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 2:00 P.M. to 3:00 P.M.

Case # 925-2021

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 # 920-2021

ISSUE 1: Whether the claimant should be disqualified from receiving benefits because the claimant was discharged for gross misconduct, as provided in *Montana Code Annotated* §§ 39-51-2303(2) and 39-51-201(13).

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).

Case # 958-2021

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). (370 days late to OAH).

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 3:00 P.M. to 4:00 P.M.

Case # 943-2021

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 # 971-2021

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 # 970-2021

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 4:00 P.M. to 5:00 P.M.

Case # 956-2021

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 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 # 856-2021

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. (21 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).

ISSUE 3: Whether the claimant should be disqualified from receiving benefits because the claimant was discharged for gross misconduct, as provided in *Montana Code Annotated* §§ 39-51-2303(2) and 39-51-201(13).

Case # 819-2021

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).



Board Meeting Agenda, Thursday April 8, 2021

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-

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

Case # 960-2021

ISSUE 1: 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.

ISSUE 2: Whether the claimant was overpaid benefits, and in what amount, pursuant to *Montana Code Annotated* § 39-51-3206 and Administrative Rules Montana 24.11.1205.

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

Case # 1018-2021

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). (91 days late to OAH).

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 # 973-2021

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 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). (17 days late to OAH).

ISSUE 3: 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).

Case # 1020-2021

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). (3 days late to OAH).

ISSUE 2: Whether the claimant is disqualified to receive benefits due to a failure to apply for or accept suitable work without good cause, as provided in *Montana Code Annotated* § 39-51-2304.

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

Case # 1098-2021

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). (62 days late to OAH).

ISSUE 2: 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).

Case # 1057-2021

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 # 1000-2021

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

Case # 1054-2021

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 # 1075-2021

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 # 994-2021

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 # 999-2021

ISSUE: 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).