

**BEFORE THE ALASKA OFFICE OF ADMINISTRATIVE HEARINGS ON REFERRAL  
BY THE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT**

In the Matter of	)	
	)	
TERESA MASE	)	OAH No. 21-1939-CAP
_____	)	Agency No. P21 221

**APPEAL DECISION AND ORDER OF REMAND**

This is a Commissioner Appeal from a procedural dismissal of a Pandemic Unemployment Assistance (PUA) case. Under 8 AAC 85.155(b), it was screened in for review because the claimant presented additional evidence regarding her failure to appear for the hearing scheduled in her PUA case.

Ms. Mase requested a hearing regarding the December 11, 2020 PUA eligibility determination issued by the Department of Labor, Division of Employment Training Services (DETS). The case was referred to the Office of Administrative Hearings (OAH), and a telephonic hearing was scheduled before Administrative Law Judge Kris Knudson on May 26, 2021 at 9:00 a.m. Alaska time. Ms. Mase was informed of the hearing date and time by mail.

At the time of hearing Ms. Mase did not appear, nor did she accept a telephone call. Judge Knudson issued a Notice of Opportunity to Show Good Cause that was sent to Ms. Mase by both mail and email allowing Ms. Mase ten days, until Monday, June 7, 2021, to submit a statement of good cause for missing the hearing and to request a reschedule date. No response was received by Ms. Mase, and on June 9, 2021 OAH issued an Order of Dismissal, closing the matter with this Tribunal.

On July 6, 2021, Ms. Mase sent the following email to DETS:

The reason that I missed my phone call. I was diagnosed with cancer needing treatment. I also have been having headaches everyday, not being able to function at all. I also had a concussion to boot. Im trying very hard to get it together, I look forward to completing radiation and finding some relief from the headaches. I apologize sincerely for your time invested in me. Please except this reason to reopen my appeal.

Thank you, Teresa Mase

Although Ms. Mase did not submit timely responses to the communications issued by OAH, her email suggests that there is good cause to reinstate her case. Therefore,

1. The dismissal issued in Case No. 21-0822-PUA is **vacated**.
2. Pursuant to 8 AAC 85.155(c)(2), this case is **remanded** to OAH to schedule a hearing on the merits.
3. Because this is not a decision under 8 AAC 85.155(c)(1), there are no appeal rights to Superior Court at this time.

Recommended October 28, 2021:

\_\_\_\_\_  
Danika Swanson  
Administrative Law Judge

Adopted November 19, 2021:

\_\_\_\_\_  
Dr. Tamika L. Ledbetter  
Commissioner

**Certificate of Service:** I certify that on November 22, 2021, 2021, a true and correct copy of this order was distributed as follows: Teresa Mase (by email). A courtesy copy has been emailed to the UI Technical team and [appeals@alaska.gov](mailto:appeals@alaska.gov).

By: \_\_\_\_\_  
Office of Administrative Hearings