

adjudicated, but in any subsequent appeal to the Board the issue of timeliness of protest can be taken up along with any appeal on the merits.

In other words, the claimant has not yet been denied benefits. Until she does there is no reason for her to appeal. *If* the Claimant has benefits denied because of the protest then she can appeal that denial and the issue of timeliness at the same time.

DECISION:

The appeal of the Administrative Law Judge’s decision in case 16A-UI-00393 is **DISMISSED**. The decision of the administrative law judge remains in full force and effect. The Claimant may appeal the issue of timeliness of protest if and when a decision is made adversely affecting the Claimant’s ability to collect benefits, and which decision concerns the issue which formed the basis of the protest.

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