

Here the claimant did not participate in the hearing through no fault of the claimant. The claimant followed the notice instructions by providing a telephone number at which she could participate; however, for some unknown reason, the administrative law judge did not call the number she left on the automated system. For this reason, the matter will be remanded for another hearing before an administrative law judge.

DECISION:

The decision of the administrative law judge dated May 14, 2008 is not vacated. This matter is remanded to an administrative law judge in the Workforce Development Center, Appeals Section. The administrative law judge shall conduct a hearing following due notice. After the hearing, the administrative law judge shall issue a decision which provides the parties appeal rights.

John A. Peno

Elizabeth L. Seiser

AMG/ss

DISSENTING OPINION OF MONIQUE F. KUESTER:

I respectfully dissent from the majority decision of the Employment Appeal Board; I would not remand this matter based on what I consider to be a lack of good cause to do so.

Monique F. Kuester

AMG/ss