

We note that Pandemic Unemployment Assistance is a federal benefit. The handbook that the federal government issued to guide unemployment appeals disapproves of a technical approach to the hearings, and requires the Administrative Law Judge to inquire into matters. *ETA Handbook No. 382*, 3rd Edition. Generally, that handbook disapproves of defaults. Also, in PUA cases there is only one party, and there is therefore no second party to be disadvantaged or inconvenienced by simply calling a previously supplied number. Put together we think that in PUA cases where a claimant has previously supplied a number, but failed to register through confusion over the notice, that the purposes of this federal disaster benefit are better served if the supplied number is at least called, rather than through a default. We therefore set aside the default and remand this case.

DECISION:

The decision of the administrative law judge dated February 4, 2022 is not vacated and remains in force unless and until the Department makes a differing determination pursuant to this remand. This matter is remanded to an administrative law judge in the Unemployment Insurance Appeals Bureau, for further development of the record consistent with this decision, unless otherwise already addressed. The administrative law judge shall conduct a hearing following due notice, if necessary. If a hearing is held, then the administrative law judge shall issue a decision which provides the parties appeal rights.

Lastly, you should know the way you appear at the hearing has changed. When you receive the Notice of Hearing, please read and follow the instructions carefully.

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Ashley R. Koopmans

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AMG/fnv