

Cite as 2023 Ark. App. 498
ARKANSAS COURT OF APPEALS
DIVISION II
No. E-22-404

STACY BRIDGES

APPELLANT

V.

DIRECTOR, DIVISION OF
WORKFORCE SERVICES

APPELLEE

Opinion Delivered November 1, 2023

APPEAL FROM THE ARKANSAS
BOARD OF REVIEW
[NO. 2022-BR-00048]

REMANDED FOR ADDITIONAL
FINDINGS OR TO SUPPLEMENT THE
RECORD

CINDY GRACE THYER, Judge

Appellant Stacy Bridges appeals from an order issued by the Arkansas Board of Review (Board) affirming the determination of the Appeals Tribunal (Tribunal) requiring her to repay \$6,096 in unemployment compensation benefits. We remand for additional findings or to supplement the record.

On September 29, 2021, the Division of Workforce Services (DWS) mailed Bridges a notice of agency determination advising her that because she had been discharged from her employment due to negligence in performing her job duties, she was disqualified from receiving benefits as of January 8, 2021. Then, on November 4, 2021, DWS sent Bridges a notice of non-fraud overpayment determination, notifying her that, due to her earlier disqualification, she was obligated to repay benefits in the amount of \$6,096.

Bridges appealed both adverse determinations to the Tribunal on November 9, 2021. On November 30, the Tribunal conducted a hearing addressing both appeals. Following the hearing, the Tribunal dismissed the appeal of the September 29 determination finding that it was untimely¹ and that the late filing was not due to circumstances beyond Bridges's control.² The Tribunal affirmed the November 4 DWS determination finding that Bridges was liable to repay \$6,096 in overpayment benefits. The record before us reveals that Bridges sought to appeal both adverse rulings from the Tribunal; yet our record only includes an opinion from the Board addressing the Tribunal's overpayment determination. As such, the case is remanded to the Board to either supplement our record to include its opinion related to Bridges's appeal from the *Paulino* hearing or, if no such opinion exists, to make additional findings regarding the timeliness of her appeal to the Tribunal.

Remanded for additional findings or to supplement the record.

ABRAMSON and MURPHY, JJ., agree.

Stacy Bridges, pro se appellant.

Cynthia L. Uhrynowycz, Associate General Counsel, for appellee.

¹"The claimant . . . may appeal a determination made by the agency by filing a written notice of appeal with the Appeal Tribunal or at any office of the Division of Workforce Services within twenty (20) calendar days after the mailing of the notice to his or her last known address." Ark. Code Ann. § 11-10-524(a)(1) (Supp. 2023).

²*See Paulino v. Daniels*, 269 Ark. 676, 599 S.W.3d 760 (1980) (due process requires that the appellant be afforded a hearing to determine whether the late filing was due to circumstances beyond her control).