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State of Oregon
Employment Appeals Board
875 Union St. N.E.
Salem, OR 97311

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VQ 005.00

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0017

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On August 29, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant was not available for work (decision # 72947). On September 18, 2013, decision # 72947 became final without a request for hearing having been filed. On October 14, 2013, claimant filed a late request for hearing. On November 13, 2013, ALJ Kangas issued Hearing Decision 13-UI-04411, dismissing claimant's request for hearing as untimely, subject to claimant's "right to renew" the request by submitting a response to the "Appellant Questionnaire" attached to the hearing decision within 14 days of the date the decision was mailed.¹ On November 29, 2013, claimant submitted a late response. On December 16, 2013, ALJ Kangas issued Hearing Decision 13-UI-06541, dismissing claimant's late request for hearing. On January 3, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant failed to certify he provided a copy of his written argument to the other parties as required by OAR 471-041-0080(2)(a) (October 29, 2006). Therefore, we did not consider the argument when reaching this decision.

EAB reviewed the entire hearing record. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

DECISION: Hearing Decision 13-UI-06541 is affirmed.

Susan Rossiter and D. E. Larson;
Tony Corcoran, not participating.

DATE of Service: January 17, 2014

¹ Hearing Decision 13-UI-04411.

NOTE: You may appeal this decision by filing a Petition for Judicial Review with the Oregon Court of Appeals within 30 days of the date of service listed above. *See* ORS 657.282. For forms and information, you may write to the Oregon Court of Appeals, Records Section, 1163 State Street, Salem, Oregon 97310, or visit the website at <http://courts.oregon.gov/OJD/OSCA/acs/records/AppellateCourtForms.page>.

Note: the above link may be broken due to unannounced changes to the Court of Appeals website, in which case you may contact the Appellate Records at (503) 986-5555.