

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0023

*Affirmed
Disqualification*

PROCEDURAL HISTORY: On September 5, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 133732). Claimant filed a timely request for hearing. On October 28, 2013, the Office of Administrative Hearings (OAH) issued notice of a hearing scheduled for November 5, 2013 at 2:30 p.m. On November 6, 2013, ALJ Frank issued Hearing Decision 13-UI-04057, dismissing claimant's request for hearing for failure to appear. On November 13, 2013, claimant filed a request to reopen the hearing. On December 3, 2013, ALJ Upite conducted a hearing, at which claimant appeared and testified, and on December 16, 2013, issued Hearing Decision 13-UI-06613, concluding good cause for reopening the hearing had been shown, but affirming the Department's decision. On January 6, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

No adversely affected party appealed that portion of Hearing Decision 13-UIB-06613 that allowed claimant's request to reopen. Therefore, EAB did not review that determination.

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-06613 is affirmed

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

DATE of Service: February 5, 2014

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.