

**EMPLOYMENT APPEALS BOARD DECISION**

**2014-EAB-0094**

*Affirmed*  
*No Disqualification*

**PROCEDURAL HISTORY:** On October 9, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant was discharged for misconduct (decision #145835). Claimant filed a timely request for hearing. On December 10, 2013, ALJ Sime conducted a hearing, and on December 27, 2013, issued Hearing Decision 13-UI-07175, concluding that claimant was discharged but not for misconduct. On January 15, 2014, the employer filed an application for review with the Employment Appeals Board (EAB).

EAB reviewed the entire hearing record, and also considered the written argument submitted by the employer. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

**DECISION:** Hearing Decision 13-UI-07175 is affirmed.

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

**DATE of Service:** February 3, 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.