

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0134

Affirmed
Overpayments
Afirmado
Sobrepagos

PROCEDURAL HISTORY: On September 21, 2010, the Oregon Employment Department (the Department) served notice of a Wage and Potential Benefit Report reducing claimant's benefits amount. On April 2, 2010, the Wage and Potential Report became final without a request for hearing having been filed. On September 25, 2013, the Department served two notices of two administrative decisions assessing a \$50 overpayment of Federal Additional Compensation Benefits (FAC) (decision # 134116), and \$298 overpayment of Regular Unemployment Insurance Benefits (UI) (decision # 133932) based on the Wage and Potential Benefit Report. Claimant filed a timely request for hearing. On November 14, 2013, the Office of Administrative Hearings (OAH) issued two notices of a consolidated hearing scheduled for December 2, 2013 at 10:45 a.m. On December 2, 2013, ALJ Lohr conducted an interpreted, consolidated hearing, and on January 3, 2014, issued Hearing Decisions 14-UI-07672 and 14-UI-07681, affirming the Department's decisions. On January 17, 2014, claimant filed applications for review with the Employment Appeals Board (EAB).

Pursuant to OAR 471-041-0095 (October 29, 2006), EAB consolidated its review of Hearing Decisions 14-UI-07672 and 14-UI-07681. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2014-EAB-0133 and 2014-EAB-0134).

EAB considered claimant's written argument to the extent it was relevant and based on the hearing record.

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

DECISION: Hearing Decisions 14-UI-07672 and 14-UI-07681 are affirmed.

Decisión de la Audiencia 14-UI-07672 y 14-UI-07681 queda confirmada.

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

DATE of Service: February 10, 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.

NOTA: *Usted puede apelar esta decisión presentando una solicitud de revisión judicial ante el Tribunal de Apelaciones de Oregon dentro de los 30 días siguientes a la fecha de notificación enumerados anteriormente. Ver ORS 657.282. Para obtener formularios e información, puede escribir a la (Oregon Court of Appeals, Records Section) Corte de Apelaciones de Oregon, Sección de Registros, 1163 State Street, Salem, Oregon 97310, o visitando el sitio en el Internet en <http://courts.oregon.gov/OJD/OSCA/acs/records/AppellateCourtForms.page>.*

Nota: el vínculo anterior puede no funcionar debido a cambios sin previo aviso al sitio en el Internet de la Corte de Apelaciones, dándose el caso puede ponerse en contacto con el Registro de Apelaciones (Appellate Records) al (503) 986-5555.