

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0144

*Affirmed
Overpayment*

PROCEDURAL HISTORY: On September 13, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 101504). On October 3, 2013, decision # 101504 became final without a request for hearing having been filed. On October 29, 2013, the Department served notice of an administrative decision that, based partly on decision # 101504, assessed a \$3,720 overpayment in unemployment insurance benefits, \$558 in monetary penalties, and 33 penalty weeks. Claimant filed a timely request for hearing. On December 31, 2013, ALJ Murdock conducted a hearing, and on January 7, 2014 issued Hearing Decision 14-UI-07949, affirming decision # 101504. On January 22, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant failed to certify that he provided a copy of his 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 14-UI-07949 is affirmed.

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.