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

131
MC 010.05
AAA 005.00

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0148

Affirmed
Overpayment

PROCEDURAL HISTORY: On June 28, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was not unemployed from May 5, 2013 to June 1, 2013 (decision # 104022). On July 18, 2013, decision # 104022 became final without a request for hearing having been filed. On November 14, 2013, the Department served notice of an administrative decision (decision # 80038) assessing a \$1,232 overpayment based on decision # 104022. Claimant filed a request for hearing. On January 6, 2013, the Office of Administrative Hearings (OAH) issued two notices of two hearings scheduled for January 13, 2014, one at 9:30 a.m. and one at 10:45 a.m.

On January 13, 2014, ALJ Monroe conducted a hearing and issued Hearing Decision 14-UI-08452, dismissing claimant's request for hearing with respect to decision # 104022 for failure to appear, and on January 14, 2014, issued Hearing Decision 14-UI-08478, affirming decision # 80038. On January 21, 2014, claimant filed an application for review of Hearing Decision 14-UI-08478 with the Employment Appeals Board (EAB). On February 3, 2014, Hearing Decision 14-UI-08452 became final without a request to reopen or an application for review having been filed.

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-08478 is affirmed.

Tony Corcoran and D. E. Larson;
Susan Rossiter, 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.