

**EMPLOYMENT APPEALS BOARD DECISION**  
**2014-EAB-0180**

*Application for Review Dismissed*

**PROCEDURAL HISTORY:** On November 6, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant was discharged but not for misconduct (decision # 14439). The employer filed a timely request for hearing. On December 17, 2013, Administrative Law Judge Monroe conducted a hearing, and on December 19, 2013, issued Hearing Decision 13-UI-06915, concluding that claimant voluntarily quit work without good cause. On January 8, 2014, Hearing Decision 13-UI-06915 became final without an application for review being filed. On January 21, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

**CONCLUSIONS AND REASONS:** Claimant did not establish good cause to file an untimely application for review, and claimant's application for review should be dismissed.

ORS 657.270(4) required claimant's application for review to be filed no later than January 8, 2014; it was filed on January 21, 2014, as shown by the postmark on the envelope in which the application for review was mailed. OAR 471-041-0065 (October 29, 2006). OAR 471-041-0070(3) requires that individuals filing late applications for review include with the late application "a written statement describing the circumstances that prevented a timely filing." Claimant provided no explanation as to why she filed the application three days after the filing deadline expired.

Because the application for review was filed after the 20-day deadline provided by ORS 657.270(4), and good cause to extend the time allowed has not been shown, the application for review must be dismissed.

**DECISION:** The application for review filed January 21, 2014 is dismissed. Hearing Decision 13-UI-06915 remains undisturbed.

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