

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0205

Affirmed
Late Request for Hearing Dismissed
Overpayment Assessed

PROCEDURAL HISTORY: On September 25, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily quit work without good cause (decision # 72945). On October 15, 2013, decision # 72945 became final without a request for hearing having been filed. On November 13, 2013, the Department served two notices of two administrative decisions: one assessing a \$1,404 in Emergency Unemployment Compensation (EUC) (decision # 115655) based on decision # 72945; and one assessing a \$1,622 overpayment in Regular Unemployment Insurance (decision # 104126) based on decision # 72945. On November 14, 2013, claimant filed a request for hearing.

On January 6, 2014, the Office of Administrative Hearings (OAH) issued three notices of two hearings scheduled for January 14, 2014, one at 1:30 p.m. and a consolidated hearing at 2:30 p.m. On January 14, 2014 ALJ Menegat conducted two hearings, and on January 17, 2014 issued Hearing Decision 14-UI-08775, dismissing claimant's late request for hearing with respect to decision # 72945, and Hearing Decisions 14-UI-08785 and 14-UI-08786, affirming decisions # 115655 and # 104126. On January 30, 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-08775, 14-UI-08785 and 14-UI-08786. For case-tracking purposes, this decision is being issued in triplicate (EAB Decisions 2014-EAB-0205, 2014-EAB-0206 and 2014-EAB-0207).

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-08775, 14-UI-08785 and 14-UI-08786 are affirmed.

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

DATE of Service: February 27, 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.