

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0296

Affirmed
Disqualification
Overpayment Assessed

PROCEDURAL HISTORY: On July 12, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 114942). On August 1, 2013, decision # 114942 became final without a request for hearing having been filed. On September 16, 2013, the Department served notice of an administrative decision (# 133249) assessing a \$9,027 overpayment in Emergency Unemployment Compensation (EUC) based on decision # 114942. On September 19, 2013, the Department served notice of an administrative decision (# 155718) assessing a \$6,337 overpayment in regular unemployment insurance benefits based on decision # 114942. On October 3, 2013, claimant filed a request for hearing.

On November 19, 2013, the Office of Administrative Hearings (OAH) issued three notices of hearings scheduled for December 5, 2013, one at 9:30 a.m. and a consolidated hearing at 10:45 a.m. On December 5, 2013, ALJ S. Lee conducted a consolidated hearing, and on January 29, 2014 issued Hearing Decisions 14-UI-09378 and 14-UI-09379, affirming the Department's decisions # 133249 and # 155718. On February 6, 2014, ALJ Lee issued Hearing Decision 14-UI-09969, allowing claimant's late request of hearing and affirming the Department's decision # 114942. On February 19, 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-09378, 14-UI-09379 and 14-UI-09969. For case-tracking purposes, this decision is being issued in triplicate (EAB Decisions 2014-EAB-0296, 2014-EAB-0298 and 2014-EAB-0299).

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-09378, 14-UI-09379 and 14-UI-09969 are affirmed.

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

DATE of Service: March 13, 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.