

EO: 300
BYE: 201444

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

111
AAA 005.00
DS 005.00

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0318

Affirmed
Ineligible
Disqualification

PROCEDURAL HISTORY: On November 26, 2013, the Oregon Employment Department (the Department) served two notices of two administrative decisions: one concluding the employer discharged claimant for misconduct (decision # 113058); and one concluding claimant did not actively seek work from November 3, 2013 to November 9, 2013 (decision # 125537). Claimant filed a timely request for hearing. On January 23, 2014, the Office of Administrative Hearings (OAH) issued two notices of two hearings scheduled for February 5, 2014; one at 9:30 a.m., and one at 10:45 a.m. On February 5, 2014, ALJ Kirkwood conducted a hearing, and on February 6, 2014, issued Hearing Decision 14-UI-09956, affirming decision # 125537, and on February 11, 2014, issued Hearing Decision 14-UI-10105, affirming decision # 113058. On February 25, 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-09956 and 14-UI-10105. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2014-EAB-0316 and 2014-EAB-0318).

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-09956 and 14-UI-10105 are affirmed.

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

DATE of Service: March 5, 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.