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

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EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0326

Reversed & Remanded

PROCEDURAL HISTORY: On December 17, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that the employer discharged the claimant for misconduct (decision #132618). Claimant filed a timely request for hearing. On February 14, 2014, ALJ Logan conducted a hearing, and on February 25, 2014, issued Hearing Decision 14-UI-11091 affirming the administrative decision. On February 26, 2014, claimant filed an application for review with the the Employment Appeals Board (EAB).

ORS 657.275 provides that EAB shall review the record of the case and promptly affirm, modify, or set aside the decision of the ALJ if the Director of the Department or any interested party files a timely application for review. On February 26, 2014, EAB notified OAH that an application for review had been filed. The record is not yet complete,¹ however, and it appears that further proceedings are or may be necessary before the record can be provided. We therefore reverse Hearing Decision 14-UI-11091 as unsupported by a complete record, and remand for such other and further proceedings as may be necessary.

DECISION: Hearing Decision 14-UI-11091 is set aside, and this matter remanded for further proceedings consistent with this order.

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

¹ Exhibit 1 is missing from the record.

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.