

**EMPLOYMENT APPEALS BOARD DECISION**  
**2014-EAB-0336**

*Affirmed*  
*Late Request for Hearing Dismissed*

**PROCEDURAL HISTORY:** On April 23, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was not available for work from March 24, 2013 to April 13, 2013 (decision # 150713). On May 13, 2013, decision # 150713 became final without a request for hearing having been filed. On January 13, 2014, claimant filed an untimely telephone request for hearing. On January 17, 2014, ALJ Kangas issued Hearing Decision 14-UI-08783, dismissing claimant's request for hearing as untimely, subject to claimant's "right to renew" the request by submitting a response to the "Appellant Questionnaire" attached to the hearing decision within 14 days of the date the decision was mailed.<sup>1</sup> On January 24, 2014, the Office of Administrative Hearings (OAH) received claimant's response. On February 20, 2014, ALJ Kangas reviewed claimant's response and issued Hearing Decision 14-UI-10730, re-dismissing claimant's request for hearing. On February 28, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB reviewed the entire hearing record. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

**DECISION:** Hearing Decision 14-UI-10730 is affirmed.

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

**DATE of Service:** March 10, 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,

<sup>1</sup> Hearing Decision 14-UI-08783.

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.