

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0367

Reversed & Remanded

PROCEDURAL HISTORY: On December 23, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding voluntarily left work without good cause (decision # 131515). Claimant filed a timely request for hearing. On February 13, 2014, ALJ Lohr conducted a hearing, and on February 14, 2014, issued Hearing Decision 14-UI-10405, affirming the Department's decision. On March 4, 2014, claimant filed an application for review with 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 March 4, 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-10405 as unsupported by a complete record, and remand for such other and further proceedings as may be necessary.

DECISION: Hearing Decision 14-UI-10405 is set aside, and this matter remanded for further proceedings consistent with this order.

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

DATE of Service: March 19, 2014

¹ Both Exhibit 1 (documentation from employer) and Exhibit 2 (CD from employer) are missing from the record.

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.