

**EMPLOYMENT APPEALS BOARD DECISION**

**2014-EAB-0382**

*Affirmed*  
*Request to Reopen Denied*

**PROCEDURAL HISTORY:** On October 11, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 133826). On October 23, 2013, claimant filed a timely request for hearing. On November 19, 2013 the Office of Administrative Hearings (OAH) issued notice of a hearing scheduled for December 5, 2013, at 8:15 a.m. On December 5, 2013, ALJ S. Lee conducted a hearing in which the employer did not participate and on January 8, 2014 issued Hearing Decision 14-UI-08121 concluding claimant voluntarily left work with good cause. On January 28, 2014, Hearing Decision 14-UI-08121 became final without an application for review having been filed. On January 31, 2014, the employer filed a late request to reopen the hearing. On February 26, 2014, ALJ Kangas reviewed the employer's request to reopen and issued Hearing Decision 14-UI-11233, denying the employer's request. On March 11, 2014, the employer filed an application for review with the Employment Appeals Board (EAB).

The employer failed to certify that it provided a copy of its argument to the other parties as required by OAR 471-041-0080(2)(a) (October 29, 2006). Therefore, we did not consider the argument when reaching this decision.

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-11233 is affirmed.

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

**DATE of Service:** March 17, 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.