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

121
AAA 005.00
MC 030.10

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0427

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On December 12, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was not available for work from November 3, 2013 to November 30, 2013 (decision # 72502). On January 2, 2014, decision # 72502 became final without a request for hearing having been filed. On January 7, 2014, claimant filed a late telephone request for hearing. On January 24, 2014, ALJ Kangas issued Hearing Decision 14-UI-09121, 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.¹ On January 29, 2014, the Office of Administrative Hearings (OAH) received claimant's response. On February 26, 2014, ALJ Kangas reviewed claimant's response and issued Hearing Decision 14-UI-11215, re-dismissing claimant's request for hearing. On March 15, 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-11215 is affirmed.

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

DATE of Service: March 20, 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,

¹ Hearing Decision 14-UI-09121.

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.