

**EMPLOYMENT APPEALS BOARD DECISION**

**2014-EAB-0450**

*Affirmed*  
*Disqualification*

**PROCEDURAL HISTORY:** On December 19, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for committing a disqualifying act (decision # 72235). On January 8, 2014, decision # 72235 became final without a request for hearing having been filed. On January 17, 2014, claimant filed an untimely request for hearing. On February 4, 2014, ALJ Kangas issued Hearing Decision 14-UI-09767, 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 February 14, 2014, The Office of Administrative Hearings (OAH) received claimant's response. On March 13, 2014 ALJ Kangas reviewed claimant's response and issued Hearing Decision 14-UI-12274, dismissing claimant's request for hearing. On March 25, 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-12274 is affirmed.

**DATE of Service:** March 27, 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>.

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<sup>1</sup> Hearing Decision 14-UI-09767

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