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

331
MC 010.05
VQ 005.00

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0459

*Affirmed
Overpayment*

PROCEDURAL HISTORY: On January 22, 2010, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 84521). On February 11, 2010, decision # 84521 became final without a request for hearing having been filed. On December 18, 2013, the Department served notice of an administrative decision (decision # 162307) assessing a \$2,238 overpayment in Emergency Unemployment Compensation (EUC) benefits based on decision # 84521. On December 19, 2013, the Department served two notices of two administrative decisions; one assessing a \$175 overpayment in Federal Additional Compensation (FAC) benefits based on decision # 84521 (decision # 143813), and one assessing a \$79 overpayment in regular unemployment insurance benefits based on decision # 84521 (decision # 143429). Claimant filed a request for hearing. On February 19, 2014, the Office of Administrative Hearings (OAH) issued notice of a consolidated hearing scheduled for March 4, 2014, at 10:45 a.m.

On March 4, 2014, ALJ Kirkwood conducted a consolidated hearing and on March 5, 2014, issued Hearing Decisions 14-UI-11687, 14-UI-11688, 14-UI-11689, affirming the Department's decisions. On March 24, 2014, claimant filed applications for review with the Employment Appeals Board (EAB).

Pursuant to OAR 471-041-0095 (October 29, 2006), EAB consolidated its review of Hearing Decisions 14-UI-11687, 14-UI-11688, 14-UI-11689. For case-tracking purposes, this decision is being issued in triplicate (EAB Decisions 2014-EAB-0457, 2014-EAB-0459 and 2014-EAB-0460).

EAB considered claimant's written statement to the extent it was based on the hearing record.

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

DECISION: Hearing Decisions 14-UI-11687, 14-UI-11688, 14-UI-11689 are affirmed.

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

DATE of Service: April 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, 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.