

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0516

*Affirmed
Disqualification*

PROCEDURAL HISTORY: On November 20, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant voluntarily left work without good cause (decision # 140726). Claimant filed a timely request for a hearing. On January 29, 2014, the Office of Administrative Hearings issued a change notice of a hearing scheduled for February 14, 2014, at 8:15 a.m. On February 21, 2014, ALJ Vincent issued Hearing Decision 14-UI- 10865, dismissing claimant's request for hearing for failure to appear. On February 25, 2014, claimant filed a timely request to reopen the hearing. ALJ Kangas reviewed claimant's request, and on March 25, 2014, issued Hearing Decision 14-UI-13353, denying claimant's request. On February 26, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

With its application for review, claimant included new information regarding the reasons for her failure to appear at the hearing. EAB may consider new information if the party offering the information shows it was prevented by circumstances beyond its reasonable control from presenting the information at the hearing. Claimant offered no explanation as to why she did not present the information she now asks EAB to consider to the ALJ in her motion to reopen. Accordingly, claimant's request to present new information is denied.

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-13353 is affirmed.

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

DATE of Service: April 21, 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.