

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0527

Affirmed
Claimant Ineligible for week 51-13

PROCEDURAL HISTORY: On January 9, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was ineligible for benefits for the week of December 15, 2013 to December 21, 2013 (week 51-13) because she failed to properly register for work with the iMatchSkills® system. Claimant filed a timely request for hearing. On March 20, 2014, ALJ conducted a hearing and on March 28, 2014, issued Hearing Decision 14-UI-13739, affirming the Department's decision. On April 2, 2014, the Department 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**.¹

DECISION: Hearing Decision 14-UI-13739 is affirmed.

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

DATE of Service: April 30, 2014

¹In its application for review, the Department asks that the Hearing Decision be modified to specify that the claimant is also ineligible for benefits for the weeks of December 22, 2013 through December 28 2013 (week 52-13) and December 29, 2013 through January 4, 2014 (week 01-14). The Department bases its request on the finding made by the ALJ – that claimant did not register for iMatchSkills® system until January 6, 2014. We are unable to modify the Hearing Decision, however. The administrative decision found claimant ineligible only for the week of December 15, 2013 through December 21, 2013. At hearing, the ALJ was not asked and did not take jurisdiction over any weeks other than the one addressed in the administrative decision. As a result, we have no jurisdiction over claimant's eligibility for any period other than the one covered by the administrative decision – the week of December 15, 2013 through December 21, 2013.

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.