

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0719

Affirmed
Ineligible and Overpayment
Afirmó,
No Subvencionables y Exceso

PROCEDURAL HISTORY: On March 3, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was unavailable for work from January 19, 2014 to February 15, 2014 (weeks 4-14 to 7-14) (decision # 91930). On March 17, 2014, the Department served notice of an administrative decision (decision # 194736) assessing a \$1,614 overpayment, \$322.80 in monetary penalties, and 12 penalty weeks based on decision # 91930. Claimant filed a timely request for hearing. On April 9, 2014, the Office of Administrative Hearings (OAH) issued two notices of two hearings scheduled for April 23, 2014; one at 9:30 a.m. and one at 10:45 a.m. On April 23, 2014, ALJ Sime conducted an interpreted hearing, and issued Hearing Decisions 14-UI-15806 and 14-UI-15868, affirming the Department's decisions. On May 1, 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-15806 and 14-UI-15868. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2014-EAB-0718 and 2014-EAB-0718).

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-15806 and 14-UI-15868 are affirmed.
Decisión de la Audiencia 14-UI-15806 y 14-UI-15868 queda confirmada.

Tony Corcoran and J. S. Cromwell, *pro tempore*;
Susan Rossiter and D. E. Larson, not participating

DATE of Service:

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.

NOTA: Usted puede apelar esta decisión presentando una solicitud de revisión judicial ante el Tribunal de Apelaciones de Oregon dentro de los 30 días siguientes a la fecha de notificación enumerados anteriormente. Ver ORS 657.282. Para obtener formularios e información, puede escribir a la (Oregon Court of Appeals, Records Section) Corte de Apelaciones de Oregon, Sección de Registros, 1163 State Street, Salem, Oregon 97310, o visitando el sitio en el Internet en <http://courts.oregon.gov/OJD/OSCA/acs/records/AppellateCourtForms.page>.

Nota: el vínculo anterior puede no funcionar debido a cambios sin previo aviso al sitio en el Internet de la Corte de Apelaciones, dádose el caso puede ponerse en contacto con el Registro de Apelaciones (Appellate Records) al (503) 986-5555.