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

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<p><b>EMPLOYMENT APPEALS BOARD DECISION</b> <b>2014-EAB-0771</b></p>
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*Affirmed*  
*Late Request for Hearing Dismissed*

**PROCEDURAL HISTORY:** On January 30, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was not available for work from January 5, 2014 to January 25, 2014 (decision # 160923). On February 19, 2014, decision #160923 became final without a request for hearing having been filed. On March 13, 2014, ALJ Kangas issued Hearing Decision 14-UI-12416, 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 March 18, 2014, the Office of Administrative Hearings (OAH) received claimant's response. On April 11, 2014, OAH issued a letter entitled, "Cancellation of Hearing Decision." On April 28, 2014, ALJ R. Frank conducted a hearing at which claimant appeared and testified, and on May 2, 2014, issued Hearing Decision 14-UI-16700, re-dismissing claimant's request for hearing. On May 6, 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-16700 is affirmed.

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

**DATE of Service:** May 19, 2014

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<sup>1</sup> Hearing Decision 14-UI-12416.

**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.