

EMPLOYMENT APPEALS BOARD DECISION
2014-EAB-0841

Affirmed
Late Request to Reopen Dismissed

PROCEDURAL HISTORY: On February 21, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 143633). Claimant filed a timely request for hearing. On March 20, 2014, ALJ Hoyer issued Hearing Decision 14-UI-12948, dismissing claimant's request for hearing for failure to appear. On April 9, 2014, Hearing Decision 14-UI-12948 became final without a request to reopen or an application for review having been filed. On April 14, 2014, claimant filed a late request to reopen the hearing. On May 12, 2014, ALJ Kangas reviewed claimant's request to reopen and issued Hearing Decision 14-UI-17361, denying claimant's request. On May 13, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant submitted a written statement on her application for review but failed to certify that she provided a copy of her statement to the other parties as required by OAR 471-041-0080(2)(a) (October 29, 2006). Therefore, we did not consider the argument when reaching this decision. Even if we had, the outcome of this decision would remain the same.

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-17361 is affirmed.

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

DATE of Service: May 20, 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.