

**EMPLOYMENT APPEALS BOARD DECISION**

**2014-EAB-0864**

*Affirmed  
Disqualification*

**PROCEDURAL HISTORY:** On March 27, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was not available for work from February 5, 2014 to March 22, 2014 (decision # 163905). Claimant filed a timely request for hearing. On April 30, 2014, ALJ Frank conducted a hearing, and on May 7, 2014 issued Hearing Decision 14-UI-17005, concluding claimant was not available for work from January 5, 2014 to April 26, 2014. On May 19, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant's argument contained information that was not part of the hearing record, and failed to show that factors or circumstances beyond claimant's reasonable control prevented claimant from offering the information during the hearing as required by OAR 471-041-0090 (October 29, 2006). We considered only information received into evidence at the hearing when reaching this decision. *See* ORS 657.275(2).

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-17005 is affirmed.

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

**DATE of Service:** June 10, 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.