

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0918

Affirmed
Overpayment Assessed

PROCEDURAL HISTORY: On August 13, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was ineligible for Eemergency Unemployment Compensation (EUC) (decision # 95016). Claimant filed a timely request for hearing. On November 6, 2013, ALJ Frank conducted a hearing and on November 19, 2013 issued Hearing Decision 13-UI-04800, affirming the Department's decision. On December 9, 2013, Hearing Decision 13-UI-04800 became final without an application for review having been filed. On March 25, 2014, the Department served notice of an administrative decision assessing a \$7,328 overpayment based on Hearing Decision 13-UI-04800. Claimant filed a timely request for hearing. On April 28, 2014, ALJ Shoemake conducted a hearing, and on May 2, 2014 issued Hearing Decision 14-UI-16721, affirming the Department's decision. On February 5, 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-16721 is affirmed.

Susan Rossiter and Tony Corcoran;
J. S. Cromwell, not participating.

DATE of Service: June 17, 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 court.oregon.gov. Once on the website, click on the blue tab for “Materials and Resources.” On the next screen, click on the tab that reads “Appellate Case Info.” On the next screen, select “Appellate Court Forms” from the left panel. On the next page, select the forms and instructions for the type of Petition for Judicial Review that you want to file.

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