

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0934

*Affirmed
Overpayment*

PROCEDURAL HISTORY: On March 3, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 111231). On March 19, 2014, the Department served notice of an administrative decision (decision # 193642) assessing a \$23,151 overpayment in regular unemployment insurance benefits and Emergency Unemployment Benefits (EUC), \$3,472.65 in monetary penalties, and 52 penalty weeks based on decision # 111231. On March 24, 2014, decision # 111231 became final without a request for hearing having been filed. On April 7, 2014, claimant filed a timely request for hearing on decision # 193642. On May 5, 2014, ALJ Micheletti conducted a hearing, and on May 9, 2014, issued Hearing Decision 14-UI-17321 that modified decision # 193642 and assessed a \$23,151 overpayment. On May 29, 2014, claimant filed an application for review of Hearing Decision 14-UI-17321 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-17321 is affirmed.

Susan Rossiter and Tony Corcoran;
J. S. Cromwell, 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.