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BYE: 201332

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

274
MC 010.05
VQ 005.00

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0950

Affirmed
Late Request for Hearing Dismissed
Overpayment Assessed

PROCEDURAL HISTORY: On June 11, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily quit work without good cause (decision # 103340). On July 1, 2013, decision # 103340 became final without a request for hearing having been filed. On March 19, 2014, the Department served notice of an administrative decision (decision # 142855) assessing an overpayment of \$3,900 in regular Unemployment Insurance benefits and \$1,964 in Emergency Unemployment Insurance (EUC) based on decision # 103340. On April 4, 2014, claimant filed a request for hearing on both decisions. On May 13, 2014, ALJ Lohr conducted two hearing and issued Hearing Decisions 14-UI-17506 dismissing claimant's late request for hearing on decision # 103340, and 14-UI-17519 affirming the Department's decision # 142855. On June 2, 2014, claimant filed applications for review of both decisions with the Employment Appeals Board (EAB).

Pursuant to OAR 471-041-0095 (October 29, 2006), EAB consolidated its review of Hearing Decisions 14-UI-17506 and 14-UI-17519. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2014-EAB-0949 and 2014-EAB-0950).

Claimant failed to certify that she provided a copy of her argument 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.

EAB reviewed the entire hearing record. On *de novo* review and pursuant to ORS 657.275(2), the hearing decisions under review are **adopted**.

DECISION: Hearing Decisions 14-UI-17506 and 14-UI-17519 are affirmed.

EAB Decision 2014-EAB-0950

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

DATE of Service: June 5, 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.