

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-0984

*Affirmed
Disqualification*

PROCEDURAL HISTORY: On February 19, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 160502). On March 11, 2014, the administrative decision became final without a request for hearing having been filed. On March 27, 2014, claimant filed an untimely request for hearing. On April 8, 2014, ALJ Kangas issued Hearing Decision 14-UI-14625, dismissing claimant's request for hearing as untimely, subject to claimant's "right to renew" the request by submitting a response to the "Appellant Questionnaire" attached to the hearing decision within 14 days of the date the decision was mailed.¹ On April 22, 2014, the Office of Administrative Hearings (OAH) received claimant's response. On May 20, 2014, the Office of Administrative Hearings (OAH) issued a letter entitled, "Cancellation of Hearing Decision". On May 21, 2014, OAH issued notice of a hearing scheduled for June 4, 2014 at 3:30 p.m.

On June 4, 2014, ALJ Davis conducted a hearing in which claimant appeared and testified, and on June 6, 2014 issued Hearing Decision 14-UI-19112, allowing claimant's late request for hearing, but affirming decision # 160502. On June 9, 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-19112 is affirmed.

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

¹ Hearing Decision 14-UI-14625

DATE of Service: July 11, 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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