

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1001

*Affirmed
Overpayment*

PROCEDURAL HISTORY: On April 18, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work with Scenic Fruit Co Inc. without good cause (decision # 95357). On April 21, 2014, the Department served notice of an administrative decision (decision # 200219) assessing a \$3,568 overpayment, \$535.20 in monetary penalties, and 27 penalty weeks based on #95357. On May 8, 2014, decision #95357 became final without a request for hearing having been filed. Claimant filed a timely request for hearing on decision #200219 only. On May 27, 2014, ALJ R. Davis conducted a hearing, and on May 28, 2014, issued Hearing Decision 14-UI-18503, affirming decision # 200219. On June 6, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB considered claimant's written argument to the extent it was based on the hearing record.

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-18503 is affirmed.

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

DATE of Service: June 19, 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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