

EMPLOYMENT APPEALS BOARD DECISION
2014-EAB-1080

Affirmed
No Disqualification

PROCEDURAL HISTORY: On February 20, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant, but not for misconduct (decision # 80202). The employer filed a timely request for hearing. On March 27, 2014, the Office of Administrative Hearings (OAH) issued notice of a hearing scheduled for April 9, 2014. On April 9, 2014, ALJ Logan conducted a hearing at which the employer failed to appear, and issued Hearing Decision 14-UI-14738, dismissing the employer's hearing request for that reason. On April 11, 2014, the employer filed a timely request to reopen the record in Hearing Decision 14-UI-14738. On June 5, 2014, ALJ R. Davis conducted a hearing, at which a witness for the employer appeared and testified, and on June 13, 2014, issued Hearing Decision 14-UI-19619, concluding the employer demonstrated good cause for reopening the hearing but affirming the Department's decision. On June 20, 2014, the employer filed an application for review of Hearing Decision 14-UI-19619 with the Employment Appeals Board (EAB).

No adversely affected party requested review of that portion of Hearing Decision 14-UI-19619 concluding the employer showed good cause to reopen the hearing and we did not review that determination.

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-19619 is affirmed.

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

DATE of Service: July 24, 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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