

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1084

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On January 31, 2014, the Oregon Employment Department (the Department) served two notices of two administrative decisions: one concluding claimant voluntarily left work without good cause (decision # 155808); and one assessing a \$1,908 overpayment, \$286.20 in monetary penalties, and 16 penalty weeks based on decision # 155808 (decision # 200310). On February 10, 2014, claimant filed two timely requests for hearing.

On March 27, 2014, the Office of Administrative Hearings (OAH) issued two notices of hearings scheduled for May 8, 2014 at 9:30 a.m. and 10:45 a.m. Claimant did not appear at the hearings. On May 9, 2014, ALJ M. Davis issued Hearing Decisions 14-UI-17211 and 14-UI-17213 dismissing claimant's requests for hearing for failure to appear. On May 28, 2014, claimant filed timely requests to reopen. On June 13 and June 18, 2014, ALJ Kangas reviewed claimant's requests to reopen and, on June 13 and June 18, 2014, issued Amended Hearing Decisions 14-UI-19590 and 14-UI-19594 denying claimant's requests. On June 24, 2014, claimant filed applications for review with the Employment Appeals Board (EAB).

Pursuant to OAR 471-041-0095 (October 29, 2006), EAB consolidated its review of Amended Hearing Decisions 14-UI-19590 and 14-UI-19594. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2014-EAB-1084 and 2014-EAB-1085).

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

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

DECISION: Amended Hearing Decisions 14-UI-19590 and 14-UI-19594 are affirmed.

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

DATE of Service: June 26, 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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