

**EMPLOYMENT APPEALS BOARD DECISION**  
**2014-EAB-1134**

*Affirmed*  
*Late Request for Hearing Dismissed*

**PROCEDURAL HISTORY:** On April 4, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 143106). On April 24, 2014, decision # 143106 became final without a request for hearing having been filed. On April 25, 2014, claimant filed an untimely request for hearing. On April 30, 2014, ALJ Kangas issued Hearing Decision 14-UI-16454, 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.<sup>1</sup> On May 6, 2014, the Office of Administrative Hearings (OAH) received claimant's response. On June 3, 2014, ALJ Murdock conducted an interpreted hearing in which claimant appeared and testified, and on June 19, 2014, issued Hearing Decision 14-UI-19959, re-dismissing claimant's untimely request for hearing. On July 1, 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-19959 is affirmed.

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

**DATE of Service:** July 8, 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

<sup>1</sup> Hearing Decision 14-UI-16454.

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](http://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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