

EMPLOYMENT APPEALS BOARD DECISION
2014-EAB-1178

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On April 4, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision denying claimant's backdating request (decision # 93511). Claimant filed a timely request for hearing. On April 25, 2014, the Office of Administrative Hearings (OAH) issued notice of a hearing scheduled for May 9, 2014 at 1:30 p.m. On May 9, 2014, ALJ Wyatt issued Hearing Decision 14-UI-17332, dismissing claimant's request for hearing for failure to appear. On May 20, 2014, claimant filed a timely request to reopen the hearing. On June 19, 2014, the Office of Administrative Hearings (OAH) issued an amended notice of a hearing scheduled for July 3, 2014 at 9:30 a.m. On July 3, 2014, ALJ Lohr conducted a hearing in which claimant appeared and testified, and issued Hearing Decision 14-UI-20875, denying claimant's reopen request. On July 9, 2014, claimant filed an application for review with the Employment Appeals Board (EAB)

EAB considered claimant's written argument to the extent it was relevant and based upon 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-20875 is affirmed.

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

DATE of Service: July 18, 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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