

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1189

Affirmed
Disqualification

PROCEDURAL HISTORY: On February 11, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct. (decision # 160257). On March 3, 2014, decision # 160257 became final without a request for hearing having been filed. On May 9, 2014, claimant filed an untimely request for hearing. On May 15, 2014, ALJ Kangas issued Hearing Decision 14-UI-17653, 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.¹ On May 27, 2014, the Office of Administrative Hearings (OAH) received claimant's response. On June 23, 2014, ALJ Kangas reviewed claimant's response and issued Hearing Decision 14-UI-20199, dismissing claimant's request for hearing. On July 11, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant failed to certify that she provided a copy of her argument to the other parties as required by OAR 471-041-0080(2)(a) (October 29, 2006). Therefore, we did not consider the argument when reaching this decision.

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-20199 is affirmed.

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

¹ Hearing Decision 14-UI-17653.

DATE of Service: July 17, 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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