

**EMPLOYMENT APPEALS BOARD DECISION**

**2014-EAB-1202**

*Affirmed*  
*Request to Reopen Dismissed*

**PROCEDURAL HISTORY:** On March 6, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 75449). Claimant filed a timely request for hearing. On April 1, 2014, the Office of Administrative Hearings (OAH) issued notice of a hearing scheduled for April 15, 2014 at 9:30 a.m. On April 15, 2014, ALJ Murdock issued Hearing Decision 14-UI-15150, dismissing claimant's request for hearing for failure to appear. On June 12, 2014, claimant filed an untimely request to reopen the hearing. On July 1, 2014, ALJ Frank conducted a hearing at which claimant appeared and testified, and on July 9, 2014 issued Hearing Decision 14-UI-21090, denying claimant's request to reopen the hearing. On July 14, 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-21090 is affirmed.

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

**DATE of Service:** July 23, 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](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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