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State of Oregon
Employment Appeals Board
875 Union St. N.E.
Salem, OR 97311

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VQ 005.00
MC 010.05

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1209

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On April 18, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 91346). On April 21, 2014, the Department served notice of an administrative decision (decision # 200214) assessing a \$1,296 overpayment, \$194.40 in monetary penalties, and 14 penalty weeks based on decision # 91346. Claimant filed a timely request for hearing. On May 15, 2014, the Office of Administrative Hearings (OAH) issued notice of a hearing scheduled May 29, 2014 at 1:30 p.m. with respect to decision # 91346. On May 20, 2014, OAH issued notice of a hearing scheduled for June 3, 2014 at 1:30 p.m. with respect to decision # 200214. On May 29, 2014, ALJ Monroe issued Hearing Decision 14-UI-18633, dismissing claimant's request for hearing for failure to appear. On June 3, 2014, ALJ R. Davis issued Hearing Decision 14-UI-18856, dismissing claimant's request for hearing for failure to appear. On June 11, 2014, claimant filed a timely request to reopen. On June 25, 2014, ALJ Kangas reviewed claimant's request to reopen and issued Hearing Decisions 14-UI-20348 and 14-UI-20370, denying claimant's request. On July 11, 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 Hearing Decisions 14-UI-20348 and 14-UI-20370. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2014-UI-1209 and 2014-EAB-1210).

Claimant failed to certify that he provided a copy of his 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. Even if we had, the outcome of these decisions would remain the same.

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

DECISION: Hearing Decisions 14-UI-20348 and 14-UI-20370 are affirmed.

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

DATE of Service: July 24, 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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