

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1214

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On May 9, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 92127). Claimant filed a timely request for hearing. On May 21, 2014, the Office of Administrative Hearings (OAH) issued notice of a hearing scheduled for June 5, 2014 at 9:30 a.m. On June 5, 2014, ALJ M. Triana issued Hearing Decision 14-UI-19009, dismissing claimant's request for hearing for failure to appear. Claimant filed a timely request to reopen the hearing. On June 26, 2014, ALJ Kangas reviewed claimant's request to reopen and issued Hearing Decision 14-UI-20428, denying claimant's request. On July 16, 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). The argument also contained information that was not part of record before the ALJ, and failed to show that factors or circumstances beyond her reasonable control prevented her from offering the information to the ALJ as required by OAR 471-041-0090 (October 29, 2006). We considered only information received into evidence when reaching this decision. *See* ORS 657.275(2).

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-20428 is affirmed.

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

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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