

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1228

Affirmed
Late Request for Hearing Dismissed
Tarde petición de oír Despedido

PROCEDURAL HISTORY: On April 28, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 95012). On May 19, 2014, the administrative decision became final without a request for hearing having been filed. On May 30, 2014, claimant filed an untimely request for hearing. On June 4, 2014, ALJ Kangas issued Hearing Decision 14-UI-18982, 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 June 10, 2014, the Office of Administrative Hearings (OAH) received claimant's response. On June 18, 2014, OAH issued a letter entitled, "Cancellation of Hearing Decision". On June 24, 2014, OAH issued notice of a hearing scheduled for July 9, 2014 at 10:45 a.m.

On July 9, 2014, ALJ S. Lee conducted a hearing in which claimant appeared and testified, and on July 11, 2014 issued Hearing Decision 14-UI-21294, dismissing claimant's late request for hearing. On July 16, 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-21294 is affirmed.
Decisión de la Audiencia 14-UI-21294 queda confirmada.

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

DATE of Service: July 23, 2014

¹ Hearing Decision 14-UI-18982

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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NOTA: Usted puede apelar esta decisión presentando una solicitud de revisión judicial ante la Corte de Apelaciones de Oregon (Oregon Court of Appeals) dentro de los 30 días siguientes a la fecha de notificación indicada arriba. Ver ORS 657.282. Para obtener formularios e información, puede escribir a la Corte de Apelaciones de Oregon, Sección de Registros, (Oregon Court of Appeals/Records Section), 1163 State Street, Salem, Oregon 97310 o visite el sitio web en court.oregon.gov. En este sitio web, haga clic en “Help” para acceso a información en español.

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