

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1251

Affirmed
Overpayment and Penalties

PROCEDURAL HISTORY: On April 4, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 114820). On April 24, 2014, that decision became final without a request for hearing having been filed. On May 19, 2014, the Department served notice of an administrative decision (decision # 194048) assessing a \$2,080 overpayment, \$312 in monetary penalties, and 16 penalty weeks based on decision # 114820. Claimant filed a request for hearing. On June 1, 2014, the Office of Administrative Hearings (OAH) issued two notices of two hearings scheduled for June 24, 2014; one at 9:30 a.m., and one at 10:45 a.m. On June 24, 2014, ALJ Frank conducted a hearing, and on July 2, 2014 issued Hearing Decisions 14-UI-20783, dismissing claimant's late request for hearing with respect to decision # 114820, and 14-UI-20788, affirming decision # 194048. On July 22, 2014, claimant filed an application for review of Hearing Decision 14-UI-20788 with the Oregon 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-20788 is affirmed.

Tony Corcoran and J. S. Cromwell;
Susan Rossiter, 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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