

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1291

Affirmed
Overpayment Assessed

PROCEDURAL HISTORY: On July 15, 2008, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 84735). Claimant filed a timely request for hearing. On September 18, 2008 the Office of Administrative Hearings (OAH) served notice of a hearing for October 3, 2008. On October 3, 2008, ALJ Davis issued Hearing Decision 08-UIB-14494-D, dismissing claimant's request for hearing for failure to appear. On October 23, 2008, 08-UIB-14494-D became final without a request to reopen or an application for review with the Employment Appeals Board (EAB) having been filed.

On June 12, 2014, the Department served notice of an administrative decision (decision # 140243) assessing an \$8,680 overpayment for the period of November 18, 2007 to March 29, 2008 based on decision # 84735. Claimant filed a timely request for hearing. On July 3, 2014, ALJ Clink conducted a hearing at which claimant appeared and testified, and on July 11, 2014 issued Hearing Decision 14-UI-21386, affirming decision # 140243. On July 30, 2014, claimant filed an application for review with the 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-21386 is affirmed.

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

DATE of Service: August 6, 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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