

EMPLOYMENT APPEALS BOARD DECISION
2014-EAB-1295

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On June 25, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was ineligible for benefits between two academic years (decision # 145059). Claimant filed a timely request for hearing. On June 30, 2014, the Office of Administrative Hearings (OAH) issued notice of a hearing scheduled for July 14, 2014 at 9:30 a.m. On July 14, 2014, ALJ Shoemake issued Hearing Decision 14-UI-21454, dismissing claimant's request for hearing for failure to appear. On July 15, 2014, claimant filed a timely request to reopen. On July 29, 2014, ALJ Kangas reviewed claimant's request to reopen and issued Hearing Decision 14-UI-22296, denying claimant's request. On July 30, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

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 this decision would remain the same.

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-22296 is affirmed.

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

DATE of Service: August 5, 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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