

EMPLOYMENT APPEALS BOARD DECISION
2014-EAB-1369

Affirmed
Late Request to Reopen Dismissed

PROCEDURAL HISTORY: On June 4, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 82225). Claimant filed a timely request for hearing. On June 10, 2014, the Office of Administrative Hearings (OAH) issued notice of a hearing scheduled for June 25, 2014 at 9:30 a.m. On June 25, 2014, ALJ Triana issued Hearing Decision 14-UI-20329, dismissing claimant's request for hearing for failure to appear. On July 15, 2014, Hearing Decision 14-UI-20329 became final without a request to reopen or an application for review having been filed. On July 17, 2014, claimant filed a late request to reopen the hearing. On July 29, 2014, ALJ Kangas reviewed claimant's late request to reopen and issued Hearing Decision 14-UI-22414, dismissing claimant's request. On August 15, 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-22414 is affirmed.

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

DATE of Service: September 3, 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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