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State of Oregon  
**Employment Appeals Board**  
875 Union St. N.E.  
Salem, OR 97311

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<p><b>EMPLOYMENT APPEALS BOARD DECISION</b> <b>2014-EAB-1399-R</b></p>
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*Affirmed*  
*No Disqualification*

**PROCEDURAL HISTORY:** On July 24, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant but not for misconduct (decision # 82948). The employer filed a timely request for hearing. On August 14, 2014, ALJ Shoemake conducted a hearing, and on August 15, 2014 issued Hearing Decision 14-UI-23561, affirming the Department's decision. On August 22, 2014, the employer filed an application for review with the Employment Appeals Board (EAB). On August 26, 2014, EAB issued Appeals Board Decision 14-EAB-1399, reversing Hearing Decision 14-UI-23561 as unsupported by a complete record, and remanding this matter for further proceedings as might be necessary to obtain a complete record for review. On October 8, 2014, the Office of Administrative Proceedings (OAH) submitted a complete record to EAB and returned this matter to EAB. This decision is issued pursuant to EAB's authority under ORS 657.290(3).

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-23561 is affirmed.

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

**DATE of Service:** November 20, 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](http://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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