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BYE: 201450

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

604  
MC 010.05  
AAA 005.00

**EMPLOYMENT APPEALS BOARD DECISION**

**2014-EAB-1453**

*Affirmed*  
*Overpayment Assessed*

**PROCEDURAL HISTORY:** On March 26, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision #160102 concluding claimant was not available for work from February 16, 2014 through March 22, 2014 (weeks 8-14 through 12-14) (decision # 160102). On April 15, 2014, decision # 160102 became final without a request for hearing having been filed. On July 14, 2014, the Department served notice of an administrative decision # 90422 assessing a \$1,940 overpayment based on decision # 160102. Claimant filed a timely request for hearing. On August 20, 2014, ALJ Frank conducted a hearing, and on August 28, 2014 issued Hearing Decision 14-UI-24237, affirming the Department's decision. On September 6, 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-24237 is affirmed.

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

**DATE of Service:** September 18, 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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