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

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VQ 005.00

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1455

Affirmed
Late Request for Hearing Dismissed
Overpayment Assessed

PROCEDURAL HISTORY: On May 21, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 95914). On June 10, 2014, decision # 95914 became final without a request for hearing having been filed. On July 22, 2014, the Department served notice of an administrative decision #133731 assessing a \$2,152 overpayment based on decision # 95914, (decision # 133731). On July 29, 2014, claimant filed a timely request for hearing on decision # 133731 and a late request for hearing on decision # 95914.

On August 19, 2014, ALJ S. Lee conducted two hearings. On August 20, 2014, ALJ Lee issued Hearing Decision 14-UI-23785, dismissing claimant's late request for hearing on decision # 95914. On August 21, 2014, ALJ Lee issued Hearing Decision 14-UI-23891, affirming the Department's decision # 133731. On September 8, 2014, claimant filed an application for review of both Hearing Decisions with the Employment Appeals Board (EAB).

Pursuant to OAR 471-041-0095 (October 29, 2006), EAB consolidated its review of Hearing Decisions 14-UI-23785 and 14-UI-23891. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2014-EAB-1454 and 2014-EAB-1455).

EAB reviewed the entire hearing records. On *de novo* review and pursuant to ORS 657.275(2), the hearing decisions under review are **adopted**.

DECISION: Hearing Decisions 14-UI-23785 and 14-UI-23891 are affirmed.

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

DATE of Service: September 12, 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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