

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1500

*Affirmed
Disqualification*

PROCEDURAL HISTORY: On July 7, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant but not for misconduct (decision # 162436). The employer filed a timely request for hearing. On July 15, 2014, the Office of Administrative Hearings (OAH) served notice of a hearing scheduled for July 29, 2014 at 2:30 p.m. Claimant did not appear at the hearing. On July 29, 2014, ALJ Frank conducted a hearing, and on August 6, 2014 issued Hearing Decision 14-UI-22928, concluding claimant voluntarily left work without good cause. On August 26, 2014, Hearing Decision 14-UI-22928 became final without an application for review having been filed.

On September 2, 2014, claimant filed a late request to reopen. On September 8, 2014, ALJ Kangas reviewed claimant's request and issued Hearing Decision 14-UI-24751, denying claimant's request to reopen his hearing. On September 16, 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-24751 is affirmed. Hearing Decision 14-UI-22928 remains undisturbed.

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

DATE of Service: September 25, 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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