

EMPLOYMENT APPEALS BOARD DECISION
2014-EAB-1510

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On June 2, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 153615). On June 23, 2014, decision # 153615 became final without a request for hearing having been filed. On August 20, 2014, claimant filed an untimely telephone request for hearing.

On August 26, 2014, ALJ Kangas issued Hearing Decision 14-UI-24045, dismissing claimant's request for hearing as untimely, subject to claimant's "right to renew" the request by submitting a response to the "Appellant Questionnaire" attached to the hearing decision within 14 days of the date the decision was mailed¹. On September 2, 2014, the Office of Administrative Hearings (OAH) received claimant's response. On September 16, 2014, ALJ Kangas reviewed claimant's response, and issued Hearing Decision 14-UI-25300, re-dismissing claimant's request for hearing. On September 18, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB considered claimant's written argument to the extent it was relevant and based on the hearing record.

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-25300 is affirmed.

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

¹ Hearing Decision 14-UI-24045

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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