

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1733

Reversed & Remanded

PROCEDURAL HISTORY: On September 26, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant voluntarily left work without good cause (decision # 111433). Claimant filed a timely request for hearing. On October 24, 2014, ALJ Lohr conducted a hearing, and on October 29, 2014, issued Hearing Decision 14-UI-27784, affirming the Department's decision. On November 4, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

ORS 657.275 provides that EAB shall review the record of the case and promptly affirm, modify, or set aside the decision of the ALJ if the Director of the Department or any interested party files a timely application for review. On approximately November 4, 2014, EAB notified the Office of Administrative Hearings (OAH) that an application for review had been filed. OAH provided EAB with a partial record.¹ Because the record is not complete, and it appears that further proceedings are or may be necessary before the record can be provided, we reverse Hearing Decision 14-UI-27784 as unsupported by a complete record, and remand for such other and further proceedings as may be necessary.

DECISION: Hearing Decision 14-UI-27784 is set aside, and this matter remanded for further proceedings consistent with this order.

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

DATE of Service: December 15, 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

¹ The record received by EAB lacks Exhibit 1, reportedly marked and admitted into the record by the ALJ at the October 24, 2014 hearing. Audio Record ~ 3:30 to 4:10.

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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