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

644
VQ 005.00
MC 010.05

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1772

Affirmed
Disqualification
Overpayment Assessed

PROCEDURAL HISTORY: On September 22, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision (decision # 124733) concluding claimant voluntarily left work without good cause, and assessing a \$1,255 overpayment for the period of August 10, 2014 through September 13, 2014 (weeks 33-14 through 37-14). Claimant filed a timely request for hearing. On October 22, 2014, ALJ Frank conducted a hearing, and on October 27, 2014 issued Hearing Decision 14-UI-27623, affirming the Department's decision. On November 14, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant failed to certify that he provided a copy of his argument to the other parties as required by OAR 471-041-0080(2)(a) (October 29, 2006). The argument also contained information that was not part of the hearing record, and failed to show that factors or circumstances beyond claimant's reasonable control prevented him from offering the information during the hearing as required by OAR 471-041-0090 (October 29, 2006). We considered only information received into evidence at the hearing when reaching this decision. *See* ORS 657.275(2).

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-27623 is affirmed.

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

DATE of Service: December 4, 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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