

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1790

Affirmed
Disqualification
Overpayment Assessed

PROCEDURAL HISTORY: On April 17, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 115705). On May 7, 2014, decision # 115705 became final without a request for hearing having been filed. On August 29, 2014, the Department served notice of an administrative decision (decision # 135814) assessing a \$6,240 overpayment based on decision # 115705. On September 18, 2014, claimant filed an untimely request for hearing on decision # 115705 and a timely request for hearing on decision # 135814. On November 3, 2014, ALJ S. Lee conducted a consolidated hearing, and on November 13, 2014 issued Hearing Decisions 14-UI-28577 and 14-UI-28580, granting the late request for hearing on decision # 115705 and affirming the administrative decisions. On November 19, 2014, claimant filed applications 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-28577 and 14-UI-28580. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2014-EAB-1790 and 2014-EAB-1791).

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

DECISION: Hearing Decisions 14-UI-28577 and 14-UI-28580 are affirmed.

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

DATE of Service: December 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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