

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1825

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On July 2, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision (# 15027) finding that claimant was not eligible for benefits under the Supplemental Unemployment Insurance for Dislocated Workers (SUD) program. On August 5, 2014, decision # 15027 became final without a request for hearing having been filed. On August 20, 2014, the Department served notice of an administrative decision (# 10258) assessing a \$1,048 overpayment for the period June 15, 2014 through June 28, 2014 (weeks 25-14 and 26-14) based on decision # 15027. Claimant filed a timely request for hearing on decision # 15027. On September 17, 2014, the Office of Administrative Hearings (OAH) issued notice of a hearing scheduled for October 6, 2014 at 10:45 a.m. Claimant did not appear at the hearing. On October 6, 2014, ALJ R. Davis issued Hearing Decision 14-UI-26425, dismissing claimant's request for hearing for failure to appear. On October 27, 2014, claimant filed a timely request to reopen the hearing. On November 6, 2014, ALJ Kangas reviewed claimant's request to reopen and issued Hearing Decision 14-UI-28276, denying claimant's request. On November 26, 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-28276 is affirmed. Hearing Decision 14-UI-26425 remains undisturbed.

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

DATE of Service: December 8, 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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