

## EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1933

*Affirmed*  
*Late Request for Hearing Denied*  
*Overpayment and Penalties*

**PROCEDURAL HISTORY:** On November 13, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision (decision #194965) assessing a \$3,277 overpayment, \$983.10 in monetary penalties, and 25 penalty weeks based on under-reported wages. On December 3, 2014, administrative decision # 194965 became final without a request for hearing having been filed. On December 5, 2014, claimant filed a late request for hearing. On December 18, 2014, ALJ Kangas issued Hearing Decision 14-UI-30651, dismissing claimant's request for hearing as untimely. On December 10, 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-30651 is affirmed.

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

**DATE of Service:** December 29, 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](http://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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