

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1951

Affirmed
Request for Hearing Dismissed

PROCEDURAL HISTORY: On December 4, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer suspended claimant, but not for misconduct (decision # 92640). Claimant filed a timely request for hearing. On December 22, 2014, ALJ Kangas issued Hearing Decision 14-UI-30769, dismissing claimant's request for hearing because it presented no justiciable controversy. On December 27, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).¹

EAB considered claimant's written argument to the extent it was relevant and based on the hearing record.

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-30769 is affirmed. Claimant is not subject to disqualification based on administrative decision # 92640.

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

DATE of Service: **December 31, 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 Claimant's application for review includes a handwritten note in which claimant appears to have requested a hearing on an administrative decision the Department issued on December 4, 2014, disqualifying claimant from the receipt of unemployment insurance benefits on the basis of a work separation from the employer (decision # 102907). We have referred this apparent request for a hearing to the Office of Administrative Hearings for further processing. Claimant should direct any inquiries about that matter to the Office of Administrative Hearings.

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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