

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-0138

Affirmed
No Disqualification

PROCEDURAL HISTORY: On December 9, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer suspended claimant, but not for misconduct (decision # 124036). The employer filed a timely request for hearing. On January 22, 2015, ALJ Wyatt conducted a hearing and issued Hearing Decision 15-UI-32376, amending the Department's decision and concluding that because no separation occurred on September 30, 2014, claimant was not disqualified from the receipt of benefits. On February 2, 2015, the employer 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 15-UI-32376 is affirmed.

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

DATE of Service: February 17, 2015

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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