

## EMPLOYMENT APPEALS BOARD DECISION

2015-EAB-0153

*Affirmed*  
*Disqualification*

**PROCEDURAL HISTORY:** On October 7, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 120041). Claimant filed a timely request for hearing. On October 27, 2014, the Office of Administrative Hearings issued notice of a hearing scheduled for November 10, 2014 at 9:30 a.m. Claimant did not appear at the hearing. On November 10, 2014, ALJ Triana issued Hearing Decision 14-UI-28454, dismissing claimant's hearing request for failure to appear. On December 1, 2014, Hearing Decision 14-UI-28454 became final without an application for review having been filed. On December 2, 2014 claimant submitted a late request to reopen her hearing. On December 16, 2014, ALJ Kangas reviewed claimant's request and issued Hearing Decision 14-UI-30477, denying claimant's late request to reopen. On December 22, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

On January 6, 2015, the EAB issued 2014-EAB-1954, reversing and remanding Hearing Decision 14-UI-30477 for additional proceedings. On January 28, 2015, ALJ Triana conducted a hearing, and on January 29, 2015 issued Hearing Decision 15-UI-32621, denying claimant's late request to reopen. On February 13, 2015, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant failed to certify that she provided a copy of her written argument to the other parties as required by OAR 471-041-0080(2)(a) (October 29, 2006). Therefore, we did not consider the argument when reaching this decision. Even if we had, the outcome of this decision would remain the same for the reasons explained in Hearing Decision 15-UI-32621.

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-32621 is affirmed.

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

**DATE of Service: March 2, 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](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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