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State of Oregon
Employment Appeals Board
875 Union St. N.E.
Salem, OR 97311

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DS 005.00
AAA 005.00

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-0303

Affirmed
Ineligible
Disqualification

PROCEDURAL HISTORY: On January 13, 2015, the Oregon Employment Department (the Department) served two notices of two administrative decisions: one concluding the employer discharged claimant for misconduct (decision # 173348); and one (decision # 174301) concluding claimant was not available for work from December 28, 2014 to January 3, 2015 (week 53-14). Claimant filed timely requests for hearing. On March 3, 2015, ALJ Kirkwood conducted a consolidated hearing and issued Hearing Decisions 15-UI-34559 and 15-UI-34570, affirming the Department's decisions. On March 18, 2015, claimant filed applications for review with the Employment Appeals Board (EAB).

Pursuant to OAR 471-041-0095 (October 29, 2006), EAB consolidated its review of Hearing Decisions 15-UI-34559 and 15-UI-34570. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2015-EAB-0303 and 2014-EAB-0304).

EAB reviewed the entire hearing record. On *de novo* review and pursuant to ORS 657.275(2), the hearing decisions under review are **adopted**.

DECISION: Hearing Decisions 15-UI-34559 and 15-UI-34570 are affirmed.

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

DATE of Service: March 30, 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 Court of Appeals website at courts.oregon.gov. Once on the website, use the

'search' function to search for 'petition for judicial review employment appeals board'. A link to the forms and information will be among the search results.

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