

**EMPLOYMENT APPEALS BOARD DECISION**  
**2015-EAB-0345**

*Affirmed*  
*Late Request for Hearing Dismissed*  
*Disqualification*

**PROCEDURAL HISTORY:** On January 2, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision (decision # 102723) concluding claimant voluntarily left work without good cause. On January 22, 2015, administrative decision # 102723 became final without a request for hearing having been filed. On February 11, 2015, claimant filed a late request for hearing. On February 24, 2015, ALJ Kangas issued Hearing Decision 15-UI-34007, dismissing claimant's request for hearing as untimely, subject to claimant's "right to renew" the request by submitting responses to the "Appellant Questionnaire" attached to the hearing decision within 14 days of the date the decision was mailed.<sup>1</sup> On March 2, 2015, the Office of Administrative Hearings (OAH) received claimant's response. On March 4, 2015, OAH issued a "Cancellation of Hearing Decision" for Hearing Decision 15-UI-34007. On March 20, 2015, ALJ Han conducted a hearing and issued Hearing Decision 15-UI-35512, re-dismissing claimant's late request for hearing. On March 27, 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-35512.

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-35512 is affirmed.

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

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<sup>1</sup> Hearing Decision 15-UI-34007.

**DATE of Service: April 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 Court of Appeals website at [courts.oregon.gov](http://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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