

**EMPLOYMENT APPEALS BOARD DECISION**  
**2015-EAB-0402**

*Affirmed*  
*Late Request to Reopen Denied*  
*Disqualification*

**PROCEDURAL HISTORY:** On January 9, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 121733). Claimant filed a timely request for hearing. On February 2, 2015, the Office of Administrative Hearings (OAH) served notice of a hearing scheduled for February 18, 2015 at 8:15 a.m. Claimant did not appear at the hearing. On February 18, 2015, ALJ Vincent issued Hearing Decision 15-UI-33683, dismissing claimant's request for hearing for failing to appear. On March 24, 2015, claimant filed a late request to reopen his hearing. On April 1, 2015, ALJ Kangas reviewed claimant's request to reopen and issued Hearing Decision 15-UI-36130, denying claimant's late request to reopen his hearing. On April 7, 2015, claimant 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-36130 is affirmed. Hearing Decision 15-UI-33683 remains undisturbed.

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

**DATE of Service:** April 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 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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