

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-0449

Affirmed
Request for Hearing Dismissed
Disqualification

PROCEDURAL HISTORY: On March 5, 2015, the Oregon Employment Department (the Department) served notice of two administrative decisions (decisions # 130659 and # 131903) concluding claimant did not actively seek work for the periods of October 19 through December 6, 2014 (weeks 43-14 through 49-14), and January 4 through February 7, 2015 (weeks 1-15 through 5-15). On March 11, 2015, claimant filed timely requests for hearing. On March 24, 2015, the Office of Administrative Hearings (OAH) served notice of a consolidated hearing scheduled for April 7, 2015 at 2:30 p.m. On March 31, 2015, claimant and an authorized representative of the Department phoned OAH to withdraw his requests for hearing on both decisions # 130659 and # 131903.¹ On April 1, 2015, ALJ S. Lee issued Hearing Decisions 15-UI-36090 and 15-UI-36091, dismissing claimant's requests for hearing at claimant's request. On April 17, 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-36090 and 15-UI-36091. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2015-EAB-0449 and 2015-EAB-0450).

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 Decisions 15-UI-36090 and 15-UI-36091 are affirmed.

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

¹ A document titled "Memo to file/Telephone Record," memorializing claimant's oral request to withdraw his requests for hearing, dated March 31, 2015 is marked as EAB Exhibit 1 and admitted into evidence to complete the record. Any party that objects to our doing so must submit such objection to this office in writing, setting forth the basis of the objection in writing, within ten days of our mailing this decision. OAR 471-041-0090 (October 29, 2006). Unless such objection is received and sustained, the noticed fact will remain in the record at EAB Exhibit 1.

DATE of Service: April 22, 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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