

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-0491

Affirmed
Request to Reopen Denied
Overpayment Assessed

PROCEDURAL HISTORY: On February 24, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision assessing a \$497 overpayment due to an error in reported earnings (decision # 202456). Claimant filed a timely request for hearing. On March 10, 2015, the Office of Administrative Hearings (OAH) issued a notice of hearing scheduled for March 24, 2015 at 1:30 p.m. Claimant did not appear at the hearing. On March 24, 2015, ALJ Murdock issued Hearing Decision 15-UI-35669, dismissing claimant's request for hearing for failure to appear. On March 27, 2015, claimant filed a timely request to reopen the hearing. On April 22, 2015, ALJ Murdock conducted a hearing and on April 23, 2015 issued Hearing Decision 15-UI-37400, denying claimant's request to reopen the hearing. On April 28, 2015, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB considered claimant's written argument to the extent it was relevant and based on the hearing record.

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-37400 is affirmed.

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

DATE of Service: May 6, 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.

Please help us improve our service by completing an online customer service survey. To complete the survey, please go to <https://www.surveymonkey.com/s/5WQXNJH>. If you are unable to complete the survey online and wish to have a paper copy of the survey, please contact our office.