

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-0499-R

*EAB Decision 2015-EAB-0499 Adhered To On Reconsideration
Disqualification*

PROCEDURAL HISTORY: On March 17, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 71951). Claimant filed a timely request for hearing. On April 13, 2015, ALJ Clink conducted a hearing, and on April 21, 2015 issued Hearing Decision 15-UI-37226, affirming the Department’s decision. On April 29, 2015, claimant filed an application for review with the Employment Appeals Board (EAB). On May 5, 2015, EAB issued Appeals Board Decision 2015-EAB-0499, affirming Hearing Decision 15-UI-37226.

On May 7, 2015, claimant filed a timely written argument which the EAB construed as a request for reconsideration. Under OAR 471-041-0145(1) (October 29, 2006), a party may request reconsideration of an EAB decision to correct an error of material fact or law, or to explain any unexplained inconsistency with Department rule, position or prior practice. In accordance with the authority granted to us under ORS 657.290(3), we exercise our authority to grant reconsideration of Appeals Board Decision 2015-EAB-0197 to address some issues raised by the reconsideration request.

In his reconsideration request, claimant reiterated he left work due to “daily mental anguish”, a lack of “future promotions” and “the undermining of my authority and future authority and effectiveness as a supervisor”. However, claimant provided no additional evidence of an error of material fact or law, and provided no additional evidence of an unexplained inconsistency with Department rule, position or prior practice.

For the above stated reasons, we therefore adhere to the conclusion we reached in our original decision.

DECISION: Reconsideration is granted. We adhere to Appeals Board Decision 2015-EAB-0499. Hearing Decision 15-UI-37226 is affirmed.

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

DATE of Service: May 12, 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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