

**EMPLOYMENT APPEALS BOARD DECISION**  
**2015-EAB-0632**

*Affirmed*  
*Disqualification*

**PROCEDURAL HISTORY:** On March 31, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 165924). Claimant filed a timely request for hearing. On April 30, 2015, May 11, 2015 and May 15, 2015, ALJ Murdock conducted a hearing, and on May 21, 2015 issued Hearing Decision 15-UI-38879, affirming the Department's decision. On May 29, 2015, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB considered the parties' written arguments when reaching this decision. The preponderance of the evidence in the record, the basic facts of which claimant did not dispute, is that claimant intentionally modified three contracts with three different vendors on three separate occasions despite previously having twice been instructed not to modify contracts without authorization. Claimant's conduct consisted of repeated willful violations of a clear employer directive that cannot be excused as an isolated instance of poor judgment and were not committed in good faith. For those reasons, and as explained in Hearing Decision 15-UI-38879, we agree with the Department and the ALJ that claimant's discharge was for misconduct.

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-38879 is affirmed.

Susan Rossiter and J. S. Cromwell;  
D. P. Hettle, *pro tempore*, not participating.

**DATE of Service: July 14, 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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