

**EMPLOYMENT APPEALS BOARD DECISION**  
**2015-EAB-0688-R**

*Request for Reconsideration Dismissed*  
*Hearing Decision 15-UI-39066 Undisturbed*

**PROCEDURAL HISTORY:** On April 10, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 100805). Claimant filed a timely request for hearing. On May 11, 2015, ALJ M. Davis issued Hearing Decision 15-UI-38247, dismissing claimant's request for hearing for failure to appear. On May 15, 2015, claimant filed a request to reopen. On May 27, 2015, ALJ Kangas issued Hearing Decision 15-UI-39066, denying claimant's request to reopen. On June 6, 2015, claimant filed an application for review with the Employment Appeals Board (EAB). On June 9, 2015, EAB issued Appeals Board Decision 2015-EAB-0688, affirming Hearing Decision 15-UI-39066. On June 18, 2015, claimant filed a request for reconsideration. This decision is issued pursuant to EAB's authority under ORS 657.290(3).

**CONCLUSIONS AND REASONS:** Claimant's request for reconsideration should be dismissed.

OAR 471-041-0145 provides that any party may request that EAB reconsider its decision "to correct an error of material fact or law, or to explain any unexplained inconsistency with Employment Department rule, or officially stated Employment Department position, or prior Employment Department practice." However, a request for reconsideration is subject to dismissal if the party filing it failed to include a statement that a copy was provided to the other parties. OAR 471-041-0145(2)(a). In this case, claimant's request did not include a statement that a copy was provided to the other party. Therefore, her request must be dismissed.

Even if claimant's request was not subject to dismissal, the outcome of this matter would remain the same. Claimant's request consisted entirely of new information about the merits of her work separation in support of her argument that she quit work with good cause. However, we have no jurisdiction to address the merits of the work separation in this matter because claimant failed to appear at the hearing scheduled on that matter, and did not establish good cause to reopen the hearing. Claimant's request for reconsideration did not include any information pertinent to her failure to appear at the hearing, and therefore did not assign error to EAB's conclusion that claimant did not have good cause to reopen the hearing.

For the foregoing reasons, claimant's request for reconsideration is dismissed. Employment Appeals Board decision 2015-EAB-0688 and Hearing Decision 15-UI-39066 remain undisturbed.

**DECISION:** Claimant's request for reconsideration is dismissed. Hearing Decision 15-UI-39066 remains undisturbed.

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

**DATE of Service: June 29, 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.

**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.