

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-0742

Affirmed
Disqualification

PROCEDURAL HISTORY: On January 15, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 80932). Claimant filed a timely request for hearing. On March 3, 2015, ALJ S. Lee conducted a hearing, and on March 5, 2015 issued Hearing Decision 15-UI-34594, affirming the Department's decision. On March 14, 2015, claimant filed an application for review of Hearing Decision 15-UI-34594 with the Employment Appeals Board (EAB). On May 1, 2015 EAB issued Appeals Board Decision 2015-EAB-0286, reversing Hearing Decision 15-UI-34594, and remanding this matter to the Office of Administrative Hearings (OAH) for further proceedings. On May 26, 2015, ALJ S. Lee conducted another hearing, and on May 29, 2015 issued Hearing Decision 15-UI-39289, again concluding that claimant's discharge was for misconduct. On June 18, 2015, claimant filed an application for review of Hearing Decision 15-UI-39289 with EAB.

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-39289 is affirmed.

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

DATE of Service: August 3, 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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