

**EMPLOYMENT APPEALS BOARD DECISION**  
**2015-EAB-0786**

*Affirmed*  
*Late Request for Hearing Dismissed*  
*Disqualification*

**PROCEDURAL HISTORY:** On March 13, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant voluntarily left work without good cause (decision #84537). On April 2, 2014, decision #84537 became final without a request for hearing having been filed. On May 5, 2015, claimant filed an untimely request for hearing. On May 18, 2015, ALJ Kangas issued Hearing Decision 15-UI-38672, dismissing claimant's hearing request as untimely, subject to claimant's right to renew the request by submitting a response to the "Appellant Questionnaire" within 14 days of the date on which the decision was mailed.<sup>1</sup> On May 28, 2015, the Office of Administrative Hearings (OAH) received claimant's response. ALJ Kangas reviewed the response and on June 10, 2015, issued Hearing Decision 15-UI-39860, re-dismissing claimant's late request for hearing. On June 22, 2015, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant failed to certify that she provided a copy of her argument to the other parties as required by OAR 471-041-0080(2)(a) (October 29, 2006). Therefore, we did not consider the argument when reaching this decision.

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-39860 is affirmed.

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

**DATE of Service: July 7, 2015**

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<sup>1</sup> Hearing Decision 15-UI-38672 .

**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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