

**EMPLOYMENT APPEALS BOARD DECISION**  
**2015-EAB-0810**

*Affirmed*  
*Ineligible*

**PROCEDURAL HISTORY:** On May 4, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant did not actively seek work from March 22 through April 11, 2015 (decision # 152701). On June 11, 2015, claimant filed a request for hearing. On June 16, 2015, ALJ Kangas issued Hearing Decision 15-UI-40135, dismissing claimant's request for a hearing as untimely, subject to claimant's "right to renew" the request by submitting a response to the "Appellant Questionnaire" attached to the hearing decision within 14 days of the date the decision was mailed. Claimant submitted a timely response to the Office of Administrative Hearings (OAH). On June 25, 2015, OAH issued a letter entitled, "Cancellation of Hearing Decision" and ordered that a hearing be set to address the timeliness of claimant's hearing request, and if appropriate, the merits of the underlying administrative decision. On July 9, 2015, ALJ S. Lee conducted a hearing, and on July 14, 2015 issued Hearing Decision 15-UI-41474, allowing claimant's request for hearing, but affirming decision # 152701. On July 28, 2015, claimant filed an application for review with the Employment Appeals Board (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-41474 is affirmed.

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

**DATE of Service:** August 7, 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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