

**EMPLOYMENT APPEALS BOARD DECISION**  
**2015-EAB-0830**

*Affirmed*  
*No Disqualification*

**PROCEDURAL HISTORY:** On March 20, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant voluntarily left work without good cause (decision #84314). Claimant filed a timely request for hearing. On April 13, 2015, the Office of Administrative Hearings served notice of a hearing scheduled for April 27, 2015. On April 27, 2015, ALJ R. Davis conducted a hearing, and on May 4, 2015, issued Hearing Decision 15-UI-37887, concluding that the employer discharged claimant, not for misconduct. On May 20, 2015, the employer filed a request to reopen the hearing. On June 18, 2015, ALJ Monroe conducted a hearing in which claimant did not participate, and on June 19, 2015, issued Hearing Decision 15-UI-40385, denying the employer's request to reopen. On July 9, 2015, the employer filed an application for review with the Employment Appeals Board (EAB).

The employer failed to certify that it provided a copy of its 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-40385 is affirmed.

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

**DATE of Service:** July 15, 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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