

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-0850

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On April 1, 2008, the Oregon Employment Department (the Department) served notice of an administrative decision assessing a \$1,370 overpayment and 13 penalty weeks. On April 21, 2008, that decision became final without a request for hearing having been filed.

On May 20, 2015, claimant filed a late request for hearing by telephone. On December 8, 2015, ALJ Kangas issued Hearing Decision 15-UI-39685, dismissing claimant's request for hearing subject to claimant's right to renew the request by responding to an appellant questionnaire within 14 days of the date the decision was mailed. On June 17, 2015, the ALJ received claimant's response. On June 25, 2015, ALJ Kangas issued Hearing Decision 15-UI-39685, re-dismissing claimant's request for hearing. On July 14, 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-40664 is affirmed.

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

DATE of Service: July 16, 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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