

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-0871

Affirmed
Request to Reopen Denied
Overpayment and Penalties

PROCEDURAL HISTORY: On April 29, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision assessing an overpayment, penalty weeks and a monetary penalty (decision # 200661). Claimant filed a timely request for hearing. On May 19, 2015, the Office of Administrative Hearings (OAH) served notice of a hearing scheduled for June 3, 2015. On June 3, 2015, ALJ R. Davis issued Hearing Decision 15-UI-39507, dismissing claimant's request for hearing for failure to appear. On June 22, 2015, claimant filed a request to reopen the hearing. On June 30, 2015, ALJ Kangas issued Hearing Decision 15-UI-40910, denying claimant's request for a reopening. On July 20, 2015, claimant filed an application for review of Hearing Decision 15-UI-40910 with the Employment Appeals Board (EAB).

EAB reviewed the entire hearing record and claimant's written argument. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

DECISION: Hearing Decision 15-UI-40910 is affirmed.

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

DATE of Service: July 28, 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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