

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-0889

Affirmed
Late Requests for Hearing Dismissed

PROCEDURAL HISTORY: On May 21, 2015, the Oregon Employment Department (the Department) served two notices of two administrative decisions concluding claimant was not able to work from May 3, 2015 through May 9, 2015 (decision # 123538) and was suspended from work for misconduct (decision # 125115). On June 10, 2015, both decisions became final without claimant having requested a hearing. On June 19, 2015, claimant filed an untimely request for hearing by telephone. On June 29, 2015, ALJ Kangas issued Hearing Decision 15-UI-40842, dismissing claimant's request on decision # 123538, and Hearing Decision 15-UI-40846, dismissing claimant's request on decision # 125115, both subject to claimant's right to renew the request by responding to appellant questionnaires by July 13, 2015. On July 2, 2015, the Office of Administrative Hearings (OAH) received claimant's responses. On July 13, 2015, ALJ Kangas issued Hearing Decision 15-UI-41414, re-dismissing claimant's request on decision # 125115. On July 14, 2015, ALJ Kangas issued Hearing Decision 15-UI-41447, amending Hearing Decision 15-UI-41414, and Hearing Decision 15-UI-41448, dismissing claimant's request on decision # 123538. On July 23, 2015, claimant filed applications for review of Hearing Decisions 15-UI-41447 and 15-UI-41448 with the Employment Appeals Board (EAB).

Pursuant to OAR 471-041-0095 (October 29, 2006), EAB consolidated its review of Hearing Decisions 15-UI-41447 and 15-UI-41448. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2015-EAB-0888 and 2015-EAB-0889).

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 Decisions 15-UI-41447 and 15-UI-41448 are affirmed.

Susan Rossiter and J. S. Cromwell;
D. P. Hettle, *pro tempore*, 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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