

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-0890

Affirmed
Overpayment, No Penalties

PROCEDURAL HISTORY: On May 21, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant quit work without good cause (decision # 143535). On May 26, 2015, the Department served notice of an administrative decision, based in part on decision # 14353, assessing a \$5,958 overpayment, penalty weeks and a monetary penalty (decision # 194831). On June 5, 2015, claimant filed timely requests for hearing on both administrative decisions. On June 29, 2015, ALJ Micheletti conducted a hearing on decision # 143535, and ALJ Seideman conducted a hearing on decision # 194831. On June 30, 2015, ALJ Micheletti issued Hearing Decision 15-UI-40888, affirming decision # 143535. On July 10, 2015, claimant filed an application for review of Hearing Decision 15-UI-40888 with the Employment Appeals Board (EAB). On July 14, 2015, ALJ Seideman issued Hearing Decision 15-UI-41466, modifying decision # 194831 by assessing a \$5,958 overpayment, but no penalty weeks or monetary penalty. On July 15, 2015 EAB issued Appeals Board Decision 2015-EAB-0826, affirming Hearing Decision 15-UI-40888. On July 22, 2015, claimant filed an application for review of Hearing Decision 15-UI-41466 with 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-41466 is affirmed.

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