

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-0917

Affirmed
Disqualification

PROCEDURAL HISTORY: On June 23, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant voluntarily left work without good cause (decision #130615). Claimant filed a timely request for hearing. On July 24, 2015, ALJ Wyatt conducted a hearing, and on July 30, 2015, issued Hearing Decision 15-UI-42341, affirming the administrative decision. On August 13, 2015, claimant filed an application for review with the Employment Appeals Board (EAB).

At the July 24, 2015 hearing, the ALJ admitted documents submitted by claimant as Exhibit 1 and documents submitted by the employer as Exhibit 2. On this record, however, the exhibits admitted were not marked. Accordingly, we have marked Exhibits 1 and 2 based on the ALJ's descriptions. Exhibit 1 consists of the following four pages: a fax cover sheet indicating that the exhibit was submitted to the Office of Administrative Hearings (OAH); a February 16, 2015 letter from a clinical psychologist; and February 23, 2015 and March 3, 2015 letters from a psychiatric nurse practitioner. Exhibit 2 consists of the following seven pages: a July 16, 2015 letter to OAH, submitting the documents that comprise the exhibit; March 9, 2015 and April 7, 2015 letters to claimant from the employer; and copies of February 26, 2015 text messages.

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-42341 is affirmed.

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

DATE of Service: August 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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