

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-0983

Affirmed
Disqualification

PROCEDURAL HISTORY: On June 29, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision disqualifying claimant from the receipt of unemployment benefits because she refused to accept suitable work (decision #105551). Claimant filed a timely hearing request. On July 30, 2015, ALJ R. Davis conducted a hearing, and on July 31, 2015, issued Hearing Decision 15-UI-42402. On August 18, 2015, claimant filed an application for review with the Employment Appeals Board (EAB).

At the July 30, 2015 hearing, ALJ R. Davis admitted documents submitted by the employer into the record as Exhibit 1. On this record, however, the exhibit admitted was not marked. Exhibit 1 consists of the following six pages: a July 24, certificate of mailing to claimant; a May 15, 2015 letter from the employer to claimant; a certificate of mailing for the May 15, 2015 letter; a memorandum of an April 24, 2015 conversation the employer had with claimant; a November 25, 2014 letter denying claimant's vacation request; and claimant's November 1, 2014 vacation request.

EAB reviewed the 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-42402 is affirmed.

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

DATE of Service: August 21, 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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