

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-1014

Affirmed
Late Request for Hearing Dismissed
Benefits Denied

PROCEDURAL HISTORY: On July 29, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant failed to file her claim in accordance with the regulations the Department Director has prescribed. On August 18, 2014, this decision became final without a request for hearing having been filed. On July 9, 2015, claimant filed an untimely request for hearing. On July 22, 2015, ALJ Kangas issued Hearing Decision 15-UI-41830, dismissing claimant's request for hearing as untimely, subject to claimant's right to renew the request by responding to an appellant questionnaire within 14 days of the hearing decision. Claimant timely responded to the appellant questionnaire. On August 6, 2015, ALJ Kangas issued Hearing Decision 15-UI-42659, re-dismissing claimant's request for hearing. On August 26, 2015, claimant filed an application for review with the Employment Appeals Board (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-42659 is affirmed.

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

DATE of Service: August 31, 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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