

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-1045

Affirmed
Not Eligible

PROCEDURAL HISTORY: On July 9, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was not available for work from May 31, 2015 to June 6, 2015 (decision # 133558). Claimant filed a timely request for hearing. On August 27, 2015, ALJ R. Frank conducted a hearing, and on August 28, 2015 issued Hearing Decision 15-UI-43645, concluding claimant was not available for work from May 31, 2015 to June 6, 2015 (week 22-15) and August 16, 2015 to August 22, 2015 (week 33-15). On September 10, 2015, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant's argument contained information that was not part of the hearing record, and failed to show that factors or circumstances beyond her reasonable control prevented her from offering the information during the hearing. Under ORS 657.275(2) and OAR 471-041-0090 (October 29, 2006), we considered only information received into evidence at the hearing when reaching this decision.

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-43645 is affirmed.

Susan Rossiter and J. S. Cromwell

DATE of Service: September 18, 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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