

**EMPLOYMENT APPEALS BOARD DECISION**  
**2015-EAB-1054**

*Affirmed*  
*No Disqualification*

**PROCEDURAL HISTORY:** On July 10, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that the employer discharged claimant for misconduct (decision # 10457). Claimant filed a timely request for hearing. On August 20, 2015, ALJ Triana conducted a hearing, and on August 21, 2015, issued Hearing Decision 15-UI-43357, reversing the Department's decision and concluding that the employer discharged claimant, but not for misconduct. On August 31, 2015, the employer 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-43357 is affirmed.

Susan Rossiter and J. S. Cromwell

**DATE of Service:** September 29, 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](http://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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