

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-1377

Affirmed
Ineligible Weeks 11-15 through 14-15

PROCEDURAL HISTORY: On June 11, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision (decision # 124308) concluding that claimant did not actively seek work from March 15 through April 11, 2015 (weeks 11-15 through 14-15, the weeks at issue). On July 1, 2015, decision # 124308 became final without a request for hearing having been filed. On September 16, 2015, claimant filed an untimely request for hearing. On September 24, 2015, ALJ Kangas issued Hearing Decision 15-UI-44817, dismissing claimant's request for hearing as untimely, subject to claimant's right to renew the request by timely responding to an appellant questionnaire within 14 days. Claimant timely responded to the appellant questionnaire. By letter dated October 29, 2015, the Office of Administrative Hearings cancelled Hearing Decision 15-UI-44817. On November 4, 2015, ALJ Frank conducted a hearing, and on November 5, 2015, issued Hearing Decision 15-UI-47245, concluding that claimant showed good cause for filing a late hearing request and that claimant did not actively seek work during the weeks at issue. On November 20, 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-47245 is affirmed.

Susan Rossiter and J. S. Cromwell

DATE of Service: December 3, 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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