

EMPLOYMENT APPEALS BOARD DECISION
2015-EAB-1383

Affirmed
Ineligible Weeks 36-15 through 42-15

PROCEDURAL HISTORY: On October 1, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision (decision # 72600) concluding that claimant was not available for work from September 6 through 26, 2015 (weeks 36-15 through 38-15). Claimant filed a timely request for hearing. On October 27, 2015, ALJ M. Davis conducted a hearing, and on November 3, 2015, issued Hearing Decision 15-UI-47038, concluding that claimant was not available for work from September 6 through October 24, 2015 (weeks 36-15 through 42-15). On November 19, 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**.¹

DECISION: Hearing Decision 15-UI-47038 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

¹ In Hearing Decision 15-UI-47038, the ALJ concluded that claimant was unavailable for work from September 6 through October 24, 2015 because the doctor required her to provide 24 hour care to her mother. With her application for review, claimant included a letter in which she noted that on November 2, 2015, her mother's doctor told claimant that she could leave her mother in the care of her sister for 8 to 10 hours per day. Claimant should contact the Department to update it on the change in the status of her availability for work.

‘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.

Please help us improve our service by completing an online customer service survey. To complete the survey, please go to <https://www.surveymonkey.com/s/5WQXNJH>. If you are unable to complete the survey online and wish to have a paper copy of the survey, please contact our office.