

**EMPLOYMENT APPEALS BOARD DECISION**  
**2015-EAB-1534**

*Affirmed*  
*Disqualification*

**PROCEDURAL HISTORY:** On October 26, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 95310). Claimant filed a timely request for hearing. On December 7, 2015, ALJ Murdock conducted a hearing, and on December 10, 2015 issued Hearing Decision 15-UI-49139, affirming the Department's decision. On December 23, 2015, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant failed to certify that she provided a copy of her argument to the other parties as required by OAR 471-041-0080(2)(a) (October 29, 2006). Therefore, we did not consider the argument when reaching this decision, except to the extent claimant assigned error to the ALJ's failure to call her witness at the hearing. However, the ALJ twice asked claimant if she had anything else to say before the ALJ closed the record, and claimant replied "No" both times. Transcript at 35-36. Claimant did not ask the ALJ to keep the record open or question her witness, and, therefore, failed to show that the ALJ erred in doing so.

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-49139 is affirmed.

Susan Rossiter and J. S. Cromwell

**DATE of Service:** January 11, 2016

**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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