

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-0036

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On November 2, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant filed a late claim for benefits for the week of October 4, 2015 to October 10, 2015 (week 40-15) and was not entitled to benefits for that week (decision # 85451). Claimant filed a timely request for hearing. On December 3, 2015, ALJ M. Davis issued Hearing Decision 15-UI-48717, dismissing claimant's hearing request for failure to appear at the hearing. On December 9, 2015, claimant filed a request to reopen that did not include a written statement explaining why she failed to appear at the hearing. On December 22, 2015, ALJ Kangas issued Hearing Decision 15-UI-49829, denying claimant's request to reopen. On January 5, 2016, 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-49829 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. 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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