

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-0042

Affirmed
No Disqualification
(No Descalificación)

PROCEDURAL HISTORY: On August 19, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that the employer discharged claimant for misconduct (decision # 110115). Claimant filed a timely request for hearing. On October 27, 2015, ALJ Frank conducted a hearing, which was continued to November 12, 2015. Claimant participated in the October 27 hearing, but did not participate in the November 12 hearing. On November 20, 2015, ALJ Frank issued Hearing Decision 15-UI-48108, affirming the administrative decision. Claimant filed a timely request to reopen. On December 28, 2015, ALJ Holmes issued Hearing Decision 15-UI-50240, granting claimant's request to reopen and concluding that the employer discharged claimant, but not for misconduct. On January 8, 2016, 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), Hearing Decision 15-UI-50240 is **adopted**.

DECISION: Hearing Decision 15-UI-50240 is affirmed.
Decisión de la Audiencia 15-UI-50240 queda confirmada.

Susan Rossiter and J. S. Cromwell

DATE of Service: January 20, 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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NOTA: Usted puede apelar esta decisión presentando una solicitud de revisión judicial ante la Corte de Apelaciones de Oregon (Oregon Court of Appeals) dentro de los 30 días siguientes a la fecha de notificación indicada arriba. Ver ORS 657.282. Para obtener formularios e información, puede escribir a la Corte de Apelaciones de Oregon, Sección de Registros (Oregon Court of Appeals/Records Section), 1163 State Street, Salem, Oregon 97310 o visite el sitio web en courts.oregon.gov. En este sitio web, hay información disponible en español.

Por favor, ayúdenos mejorar nuestros servicios por llenar el formulario de encuesta sobre nuestro servicio de atención al cliente. Para llenar este formulario, puede visitar <https://www.surveymonkey.com/s/5WQXNJH>. Si no puede llenar el formulario sobre el internet, puede comunicarse con nuestra oficina para una copia impresa de la encuesta.