

**EMPLOYMENT APPEALS BOARD DECISION**  
**2016-EAB-0051**

*Affirmed*  
*No Disqualification*

**PROCEDURAL HISTORY:** On October 21, 2015, the Oregon Employment Department a decision concluding that the employer discharged claimant for misconduct (decision # 95625). Claimant filed a timely request for hearing. On December 29, 2015, ALJ Wyatt conducted a hearing, and on December 30, 2015, issued Hearing Decision 15-UI-50250, reversing the administrative decision and concluding that the employer discharged claimant, but not for misconduct. On January 13, 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), the hearing decision under review is **adopted**.

**DECISION:** Hearing Decision 15-UI-50250 is affirmed.

Susan Rossiter and J. S. Cromwell

**DATE of Service:** January 15, 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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