

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-0295

Affirmed
(Confirmada)
Untimely Request to Reopen Denied
(Petición Inoportuna Para Reabrir Negada)

PROCEDURAL HISTORY: On July 22, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision (# 86351) concluding claimant did not actively seek work from May 31, 2015 to June 20, 2015 (22-15 through 24-15). On August 11, 2015, decision # 83651 became final without claimant having filed a timely request for hearing. On December 10, 2015, claimant filed a late request for hearing. On December 17, 2015, ALJ Kangas issued Hearing Decision 15-UI-49597, dismissing claimant's late request for hearing subject to his right to renew the request by responding to an appellant questionnaire by December 31, 2015. On December 28, 2015, the Office of Administrative Hearings (OAH) received claimant's response. On January 6, 2016, OAH mailed claimant a letter titled "Cancellation of Hearing Decision." On January 13, 2016, OAH mailed claimant notice of a hearing scheduled for January 28, 2016. On January 28, 2016, ALJ Micheletti issued Hearing Decision 16-UI-51995, dismissing claimant's hearing request for failure to appear. On February 18, 2016, Hearing Decision 16-UI-51995 became final without claimant having filed a request to reopen or application for review. On February 22, 2016, claimant filed an untimely request to reopen. On March 9, 2016, ALJ Kangas considered claimant's request and issued Hearing Decision 16-UI-54641, denying claimant's late request to reopen. On March 15, 2016, claimant filed a timely application for review of Hearing Decision 16-UI-54651 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 16-UI-54641 is affirmed.
Decisión de la Audiencia 16-UI-54641 queda confirmada.

Susan Rossiter and J. S. Cromwell;
D. P. Hettle, not participating.

DATE of Service: March 18, 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.

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