

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-0338

Affirmed
Late Request for Hearing Denied

PROCEDURAL HISTORY: On February 8, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that the employer discharged claimant for misconduct (decision # 140406). On February 29, 2016, decision # 140406 became final without a request for hearing having been filed. On March 1, 2016, claimant filed an untimely request for hearing. On March 8, 2016, ALJ Kangas issued Hearing Decision 16-UI-54568, dismissing claimant's hearing request, subject to claimant's right to renew the request by responding to an appellant questionnaire within 14 days. Claimant did not timely respond to the appellant questionnaire. On March 25, 2016, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB reviewed the entire record in this case. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

DECISION: Hearing Decision 16-UI-54568 is affirmed.

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

DATE of Service: March 31, 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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