

**EMPLOYMENT APPEALS BOARD DECISION**  
**2016-EAB-0347**

*Affirmed*  
*Ineligible Weeks 30-15 to 42-15 and 47-15*

**PROCEDURAL HISTORY:** On November 2, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was not available for work from July 26, 2015 to October 24, 2015 (decision # 91129). Claimant filed a timely request for hearing. On January 21, 2016, the Office of Administrative Hearings (OAH) mailed notice of a hearing scheduled for February 3, 2016. On February 3, 2016, ALJ Wipperman issued Hearing Decision 16-UI-52288, dismissing claimant's request for hearing for failure to appear. On February 5, 2016, claimant filed a request to reopen. On February 26, 2016, OAH mailed notice of a hearing scheduled for March 17, 2016. On March 17, 2016, ALJ S. Lee conducted a hearing, and on March 21, 2016 issued Hearing Decision 16-UI-55491, allowing claimant's request to reopen and concluding that claimant was not available for work from July 26, 2015 to October 24, 2015 and November 22, 2015 to November 28, 2015. On March 24, 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 16-UI-55491 is affirmed.

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

**DATE of Service:** March 30, 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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