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State of Oregon
Employment Appeals Board
875 Union St. N.E.
Salem, OR 97311

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EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-0459

Adopted
Late Request for Hearing Dismissed
Ineligible

PROCEDURAL HISTORY: On January 21, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant did not actively seek work (decision # 112709). On February 10, 2016, decision # 112709 became final without a request for hearing having been filed. On February 22, 2016, claimant failed a late request for hearing. On February 26, 2016, ALJ Kangas issued Hearing Decision 16-UI-53889, dismissing claimant's late request for hearing subject to his right to renew the request by responding to an appellant questionnaire by March 11, 2016. Claimant filed a timely response to the appellant questionnaire. On March 31, 2016, ALJ Kangas issued Hearing Decision 16-UI-56195, re-dismissing claimant's late request for hearing. On April 19, 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-56195 is affirmed. The Department's decision # 112709 remains undisturbed.

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

DATE of Service: April 26, 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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