

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-0501

Affirmed
No Disqualification

PROCEDURAL HISTORY: On April 4, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work with good cause (decision # 93915). Claimant filed a timely request for hearing. On April 13, 2016, ALJ Kangas issued Hearing Decision 16-UI-57185, dismissing claimant's request for hearing on decision # 93915. The ALJ concluded that, because decision # 93915 allowed claimant benefits, it was not adverse to him, and a hearing about his work separation "would not have any practical effect on claimant's rights or interests because the administrative decision ruled in claimant's favor." On May 3, 2016, claimant filed an application for review with the Employment Appeals Board (EAB).

With his application for review, and by telephone, claimant notified EAB that he planned to submit a written argument explaining why he wanted review after the Department decided this matter in his favor. The written argument deadline expired at 5:00 p.m. on May 24, 2016. *See* OAR 471-041-0080. Claimant did not submit any argument within the time allowed, nor did he request or receive an extension of the deadline. Therefore, EAB did not consider any arguments when reaching this decision.

EAB reviewed the entire hearing record and has concluded that the ALJ did not err in dismissing claimant's request for hearing for the reasons explained in Hearing Decision 16-UI-57185. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

DECISION: Hearing Decision 16-UI-57185 is affirmed.

Susan Rossiter, J. S. Cromwell and D. P. Hettle

DATE of Service: May 25, 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.

Please help us improve our service by completing an online customer service survey. To complete the survey, please go to <https://www.surveymonkey.com/s/5WQXNJH>. If you are unable to complete the survey online and wish to have a paper copy of the survey, please contact our office.