

EO: 200  
BYE: 201702

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

757  
DS 005.00  
MC 000.00

**EMPLOYMENT APPEALS BOARD DECISION**  
**2016-EAB-0549**

*Affirmed*  
*Late Request for Hearing Dismissed*  
*Disqualification*

**PROCEDURAL HISTORY:** On February 10, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 93233). On March 1, 2016, decision # 93233 became final without a request for hearing having been filed. On March 21, 2016, claimant filed a late request for hearing. On March 28, 2016, ALJ Kangas issued Hearing Decision 16-UI-55907, dismissing claimant's late request for hearing subject to her right to renew the request by responding to an appellant questionnaire by April 11, 2016. Claimant filed a timely response to the appellant questionnaire. ALJ Kangas reviewed the response, and on April 20, 2016, issued Hearing Decision 16-UI-57715, re-dismissing claimant's late request for hearing. On May 10, 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-57715 is affirmed. Administrative decision # 93233 remains undisturbed.

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

**DATE of Service:** May 17, 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.

**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.