

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-0630

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On October 14, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant voluntarily left work without good cause (decision # 151947). On November 3, 2015 decision # 151947 became final without a request for hearing having been filed. On March 23, 2016, claimant filed an untimely hearing request. On March 28, 2016, ALJ Kangas issued Hearing Decision 16-UI-55930, dismissing claimant's hearing request subject to his right to renew the request by responding to an appellant questionnaire within 14 days. Claimant timely responded to the appellant questionnaire. By letter dated April 20, 2016, the Office of Administrative Hearings cancelled Hearing Decision 16-UI-55930. On May 10, 2016, ALJ Demarest conducted a hearing, and on May 11, 2016, issued Hearing Decision 16-UI-59320, re-dismissing claimant's hearing request. On May 27, 2016, claimant filed an application for review with the Employment Appeals Board (EAB).

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

DECISION: Hearing Decision 16-UI-55930 is affirmed.

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

DATE of Service: June 7, 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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