

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-0727

Affirmed
Late Request to Reopen Denied

PROCEDURAL HISTORY: On December 14, 2015, the Oregon Employment Department (the Department) served notice of an administrative decision denying claimant's late claims for benefits for the weeks of November 8, 2015 to November 14, 2015, November 15, 2015 to November 21, 2015 and November 22, 2015 to November 28, 2015 (decision # 111833). Claimant filed a timely request for hearing. On February 28, 2016, the Office of Administrative Hearings (OAH) mailed notice of a hearing scheduled for March 14, 2016 at 8:15 a.m., at which time claimant failed to appear for the hearing. On March 14, 2016, ALJ M. Davis issued Hearing Decision 16-UI-54949, dismissing claimant's request for hearing for failure to appear. On April 4, 2016, Hearing Decision 16-UI-54949 became final without claimant having requested reopening or filed an application for review. On April 18, 2016, claimant filed a late request to reopen. On May 25, 2016, OAH mailed notice of a hearing scheduled for June 9, 2016 at 9:30 a.m. On June 9, 2016, ALJ Triana conducted a hearing interpreted in Arabic, and on June 15, 2016 issued Hearing Decision 16-UI-61842, denying claimant's late request to reopen. On June 17, 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-61842 is affirmed.

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

DATE of Service: June 22, 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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