

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-0754

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On April 26, 2016, the Oregon Employment Department (the Department) served notice of an administrative (decision # 132322) decision concluding that claimant did not actively search for work from April 3 through 16, 2016 (weeks 14-16 and 15-16). Claimant filed a timely request for hearing. On May 10, 2016, the Office of Administrative Hearings (OAH) issued notice of a hearing scheduled for May 23, 2016. On May 23, 2016, ALJ M. Davis issued Hearing Decision 16-UI-60180, dismissing claimant's request for hearing for failure to appear at the hearing. Claimant filed a timely request to reopen. On June 21, 2016, ALJ M. Davis conducted a hearing and on June 22, 2016, issued Hearing Decision 16-UI-62287, denying claimant's request to reopen. On June 27, 2016, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant failed to certify that he provided a copy of his argument to the other parties as required by OAR 471-041-0080(2)(a) (October 29, 2006). Therefore, we did not consider the argument when reaching this decision.

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-62287 is affirmed.

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

DATE of Service: June 29, 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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