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BYE: 201643

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

535
JR 005.00
AAA 005.00
MC 010.05

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-0758

Affirmed
Disqualified
Ineligible
Overpayment and Penalties

PROCEDURAL HISTORY: On May 3, 2016, the Oregon Employment Department (the Department) served two notices of administrative decisions, both concluding claimant refused an offer of work for December 15, 2015 without good cause (decisions # 74630 and 151455).¹ Also on May 3, 2016, the Department issued notice of a third administrative decision concluding claimant was not available for work from December 13, 2015 to April 23, 2016 (decision # 155249). On May 4, 2016, the Department issued notice of a fourth administrative decision assessing a \$4,484 overpayment, \$672.60 monetary penalty and 32 penalty weeks (decision # 202470). Claimant filed timely requests for hearing on all four decisions. On June 7, 2016, ALJ S. Lee conducted a consolidated hearing on decisions # 74630, 151455 and 155249, and a second hearing on decision # 202470. On June 9, 2016, the ALJ issued Hearing Decision 16-UI-61416 affirming decision # 74630, Hearing Decision 16-UI-61415 affirming decision # 151455, Hearing Decision 16-UI-61436 affirming decision # 155249, and Hearing Decision 16-UI-61449 affirming decision # 202470. On June 27, 2016, claimant filed an application for review of all four hearing decisions with the Employment Appeals Board (EAB).

Pursuant to OAR 471-041-0095 (October 29, 2006), EAB consolidated its review of Hearing Decisions 16-UI-61415, 16-UI-61416, 16-UI-61436 and 16-UI-61449. For case-tracking purposes, this decision is being issued in quadruplicate (EAB Decisions 2016-EAB-0756, 2016-EAB-0757, 2016-EAB-0758 and 2016-EAB-0759).

EAB reviewed the entire hearing record in each case under review. On *de novo* review and pursuant to ORS 657.275(2), the hearing decisions under review are **adopted**.

DECISION: Hearing Decisions 16-UI-61415, 16-UI-61416, 16-UI-61436 and 16-UI-61449 are affirmed.

¹ The Department inadvertently issued two decisions regarding the same December 15, 2015 job refusal.

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

DATE of Service: July 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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