

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-0764

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On April 1, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision assessing a \$1865 overpayment, a \$466.25 monetary penalty and 14 penalty weeks (decision # 195970). On April 21, 2016, decision # 195970 became final without claimant having filed a request for hearing. On May 9, 2016, claimant filed a late request for hearing. On May 13, 2016, ALJ Kangas issued Hearing Decision 16-UI-59509, dismissing claimant's request for hearing subject to her right to renew the request by responding to an appellant questionnaire by May 27, 2016. On May 18, 2016, claimant returned her appellant questionnaire. On May 26, 2016, the Office of Administrative Hearings (OAH) mailed notice of a hearing scheduled for June 14, 2016. On June 14, 2016, ALJ R. Frank conducted a hearing, and on June 17, 2016 issued Hearing Decision 16-UI-62016, dismissing claimant's late request for hearing. On June 25, 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-62016 is affirmed.

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

DATE of Service: June 28, 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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