

EO: 200  
BYE: 201301

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

027  
MC 010.05  
MC 000.00

**EMPLOYMENT APPEALS BOARD DECISION**  
**2016-EAB-0827**

*Affirmed*  
*Late Request for Hearing Dismissed*

**PROCEDURAL HISTORY:** On May 18, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant willfully misrepresented earnings to obtain benefits to which she was not entitled and must repay, disqualifying claimant from future benefits, and assessing a monetary penalty. On June 7, 2016, the administrative decision became final without a request for hearing having been filed. On June 13, 2016, claimant filed a late request for hearing. On June 13, 2016, ALJ Kangas issued Hearing Decision 16-UI-61928, dismissing claimant's late request for hearing subject to his right to renew the request by responding to an appellant questionnaire by June 30, 2016. Claimant filed a timely response to the appellant questionnaire. On July 7, 2016, ALJ Kangas issued Hearing Decision 16-UI-63330, re-dismissing claimant's request for hearing as untimely without good cause. On July 13, 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-63330 is affirmed.

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

**DATE of Service:** July 18, 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](http://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.

**Please help us improve our service by completing an online customer service survey.** To complete the survey, please go to <https://www.surveymonkey.com/s/5WQXNJH>. If you are unable to complete the survey online and wish to have a paper copy of the survey, please contact our office.