

**EMPLOYMENT APPEALS BOARD DECISION**  
**2016-EAB-0913**

*Affirmed*  
*No Disqualification*

**PROCEDURAL HISTORY:** On June 22, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that the employer discharged claimant for misconduct (decision # 64854). Claimant filed a timely request for hearing. On July 13, 2016, ALJ Murdock conducted a hearing in which the employer's representative briefly participated at the start of the hearing, but excused herself when no witnesses from the employer appeared. On July 15, 2016, ALJ Murdock issued Hearing Decision 16-UI-63884, concluding that the employer discharged claimant, but not for misconduct. On August 4, 2016, the employer 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-63884 is affirmed.

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

**DATE of Service:** August 9, 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.

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