

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-0923

Affirmed
Late Request to Reopen Denied

PROCEDURAL HISTORY: On April 8, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 150610). Claimant filed a timely request for hearing. On May 4, 2016, the Office of Administrative Hearings (OAH) mailed notice of a hearing scheduled for May 18, 2016, at which claimant failed to appear. On May 18, 2016, ALJ Menegat issued Hearing Decision 16-UI-59818, dismissing claimant's hearing request for failure to appear. On June 7, 2016, Hearing Decision 16-UI-59818 became final without claimant having requested reopening. On July 12, 2016, claimant filed a late request to reopen. On July 21, 2016, OAH mailed notice of a hearing scheduled for August 4, 2016. On August 4, 2016, ALJ M. Davis conducted a hearing, at which claimant appeared, and issued Hearing Decision 16-UI-65039, denying claimant's late request to reopen. On August 8, 2016, claimant filed an application for review of Hearing Decision 16-UI-65039 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-65039 is affirmed.

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

DATE of Service: August 10, 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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