

**EMPLOYMENT APPEALS BOARD DECISION**  
**2016-EAB-1082**

*Affirmed*  
*Request to Reopen Denied*

**PROCEDURAL HISTORY:** On June 24, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was not able to work from May 22, 2016 to June 18, 2016 (decision # 93624). Claimant filed a timely request for hearing. On July 26, 2016, the Office of Administrative Hearings (OAH) issued notice of a hearing scheduled for August 9, 2016 at 8:15 a.m., at which claimant failed to appear. On August 9, 2016, ALJ Kangas issued Hearing Decision 16-UI-65223, dismissing claimant's request for hearing for failure to appear. On August 29, 2016, claimant filed a request to reopen that included a written statement explaining that he missed the 8:15 a.m. hearing because he thought it was scheduled to begin at 8:45 a.m. On September 7, 2016, ALJ Kangas reviewed claimant's request and issued Hearing Decision 16-UI-67061, denying claimant's request to reopen. On September 15, 2016, claimant filed an application for review of Hearing Decision 16-UI-67061 with the Employment Appeals Board (EAB).

EAB considered claimant's argument when reaching this decision.

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-67061 is affirmed.

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

**DATE of Service:** September 19, 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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