

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-1109

Affirmed
No Disqualification

PROCEDURAL HISTORY: On August 24, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 80412). Claimant filed a timely request for hearing. On September 22, 2016, ALJ Triana conducted a hearing, and on September 23, 2016 issued Hearing Decision 16-UI-67954, concluding the employer discharged claimant, but not for misconduct. On September 27, 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), Hearing Decision 16-UI-67954 is **adopted**, except that we correct finding of fact 7 to read: "On December 2, 2015, claimant received a written warning for borrowing money from coworkers. The written warning was based on the money borrowed before November 23, 2015."

DECISION: Hearing Decision 16-UI-67954 is affirmed.

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

DATE of Service: October 5, 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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