

**EMPLOYMENT APPEALS BOARD DECISION**  
**2016-EAB-1121**

*Adopted*  
*Late Request for Hearing Dismissed*

**PROCEDURAL HISTORY:** On July 6, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 113837). On July 26, 2016, decision # 113837 became final without a request for hearing having been filed. On August 27, 2016, claimant filed an untimely request for hearing. On August 31, 2016, ALJ Kangas issued Hearing Decision 16-UI-66674, dismissing claimant's hearing request, subject to his right to renew the request by responding to an appellant questionnaire within 14 days. Claimant timely responded to the appellant questionnaire. On September 9, 2016, ALJ Kangas issued Hearing Decision 16-UI-67714, re-dismissing claimant's hearing request as untimely. On September 29, 2016, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB reviewed the entire record in this case. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is adopted.

**DECISION:** Hearing Decision 16-UI-67714 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](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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