

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-1141

Affirmed
Ineligible Weeks 23-16 through 26-16
Overpaid \$2,268

PROCEDURAL HISTORY: On July 13, 2016, the Oregon Employment Department (the Department) served notice of decision # 91856, which concluded that claimant failed to actively search for work from June 5 through July 2, 2016 (weeks 23-16 through 26-16), and decision # 143701, which concluded that claimant was overpaid \$2,268 in unemployment benefits, based on decision # 91856. On August 2, 2016, both decisions became final without requests for hearing having been filed. On August 22, 2016, claimant filed untimely requests for hearing on decisions # 143701 and # 91856. On September 14, 2016, ALJ Triana conducted hearings, and on September 16, 2016, issued the following hearing decisions: Hearing Decision 16-UI-67656, which found that claimant had good cause for his late hearing request on decision # 91856 and affirmed that decision, and Hearing Decision 16-UI-67660, which found that claimant had good cause for his late hearing request on decision # 143701 and affirmed that decision. On October 6, 2016, claimant applications for review with the Employment Appeals Board (EAB).

Pursuant to OAR 471-041-0095 (October 29, 2006), EAB consolidated its review of Hearing Decisions 16-UI-67656 and 16-UI-67660. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2016-EAB-1140 and 2016-EAB-1141).

EAB considered claimant's written argument in reaching this decision.

EAB reviewed the entire record in these cases. On *de novo* review and pursuant to ORS 657.275(2), the hearing decisions under review are **adopted**.

DECISION: Hearing Decisions 16-UI-67656 and 16-UI-67660 are affirmed.

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

DATE of Service: October 17, 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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