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State of Oregon  
**Employment Appeals Board**  
875 Union St. N.E.  
Salem, OR 97311

637  
AAA 005.00  
MC 000.00

**EMPLOYMENT APPEALS BOARD DECISION**  
**2016-EAB-1170**

*Affirmed*  
*Late Request to Reopen Denied*

**PROCEDURAL HISTORY:** On August 12, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant did not actively seek work from June 19 through July 2, 2016 (decision # 145221). Claimant filed a timely request for hearing. On August 23, 2016, the Office of Administrative Hearings (OAH) served notice of a hearing scheduled for September 6, 2016. On September 6, 2016, ALJ M. Davis issued Hearing Decision 16-UI-66974, dismissing claimant's request for hearing for failure to appear. On September 26, 2016, Hearing Decision 16-UI-66974 became final without claimant having requested that the hearing be reopened. On October 10, 2016, claimant filed a late request to reopen the hearing with OAH. ALJ Kangas considered claimant's request, and on October 13, 2016 issued Hearing Decision 16-UI-69138, denying the request. On October 19, 2016, claimant filed an application for review of Hearing Decision 16-UI-69138 with the Employment Appeals Board (EAB).

EAB reviewed the entire hearing record and claimant's written argument. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

**DECISION:** Hearing Decision 16-UI-69138 is affirmed.

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

**DATE of Service: October 20, 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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