

EMPLOYMENT APPEALS BOARD DECISION
2016-EAB-1237

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On May 31, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant voluntarily left work without good cause (decision # 131254). On June 20, 2016, decision # 131254 became final without a request for hearing having been filed. On October 7, 2016, claimant filed an untimely request for hearing. On October 11, 2016, ALJ Kangas issued Hearing Decision 16-UI-68989, dismissing claimant's hearing request, subject to claimant's right to renew the request by responding to an appellant questionnaire within 14 days. Claimant timely responded to the appellant questionnaire. On October 25, 2016, ALJ Kangas issued Hearing Decision 16-UI-69875, re-dismissing claimant's hearing request as untimely. On November 2, 2016, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant failed to certify that he provided a copy of his argument to the other parties as required by OAR 471-041-0080(2)(a) (October 29, 2006). Therefore, we did not consider the argument when reaching this decision.

EAB reviewed the entire record in this case. On *de novo* review and pursuant to ORS 657.275(2), Hearing Decision 16-UI-69875 is **adopted**.

DECISION: Hearing Decision 16-UI-69875 is affirmed.

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

DATE of Service: November 8, 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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