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

457  
AAA 005.00  
MC 000.00

**EMPLOYMENT APPEALS BOARD DECISION**  
**2016-EAB-1411**

*Affirmed*  
*Late Request to Reopen Denied*

**PROCEDURAL HISTORY:** On August 16, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant did not actively seek work from June 12 through July 9, 2016 (decision # 80406). Claimant filed a timely request for hearing. On September 13, 2016, the Office of Administrative Hearings (OAH) served notice of a hearing scheduled for September 27, 2016. On September 27, 2016, claimant failed to appear at the hearing, and ALJ S. Lee issued Hearing Decision 16-UI-68116, dismissing claimant's hearing request due to his failure to appear. On October 17, 2016, Hearing Decision 16-UI-68116 became final without claimant having a filed a request for a reopening. On December 12, 2016, claimant filed a late request for a reopening. On December 14, 2016, ALJ Kangas issued Hearing Decision 16-UI-7291, denying claimant's request as untimely without good cause. On December 19, 2016, claimant filed an application for review of Hearing Decision 16-UI-7291 with the Employment Appeals Board (EAB).

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

**DECISION:** Hearing Decision 16-UI-72911 is affirmed.

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

**DATE of Service:** December 29, 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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