

EMPLOYMENT APPEALS BOARD DECISION
2017-EAB-0020

Affirmed – Confirmada
Request to Reopen Denied – Petición de Reabrir Negada

PROCEDURAL HISTORY: On September 14, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 80457). Claimant filed a timely request for hearing. On October 4, 2016, the Office of Administrative Hearings (OAH) mailed notice of a hearing scheduled for October 18, 2016, at which claimant failed to appear. On October 18, 2016, ALJ M. Davis issued Hearing Decision 16-UI-69403, dismissing claimant’s request for hearing for failure to appear. On October 24, 2016, claimant filed a request to reopen. On December 7, 2016, OAH mailed notice of a hearing scheduled for December 22, 2016. On December 22, 2016, ALJ M. Davis conducted a hearing, which claimant participated, and issued Hearing Decision 16-UI-73509, denying claimant’s request to reopen. On January 5, 2016, claimant filed an application for review 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-73509 is affirmed.
Decisión de la Audiencia 16-UI-73509 queda confirmada.

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

DATE of Service: January 17, 2017

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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NOTA: Usted puede apelar esta decisión presentando una solicitud de revisión judicial ante la Corte de Apelaciones de Oregon (Oregon Court of Appeals) dentro de los 30 días siguientes a la fecha de notificación indicada arriba. Ver ORS 657.282. Para obtener formularios e información, puede escribir a la Corte de Apelaciones de Oregon, Sección de Registros (Oregon Court of Appeals/Records Section), 1163 State Street, Salem, Oregon 97310 o visite el sitio web en courts.oregon.gov. En este sitio web, hay información disponible en español.

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