

EMPLOYMENT APPEALS BOARD DECISION
2017-EAB-0117

Affirmed
Ineligible Weeks 42-16 through 3-17

PROCEDURAL HISTORY: On November 17, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant was not able to, available for, and actively seeking work from October 16 through November 12, 2016 (weeks 42-16 through 45-16). Claimant filed a timely request for hearing. On December 1, 2016, the Office of Administrative Hearings issued notice of a hearing scheduled for December 15, 2016. On December 15, 2016, ALJ M. Davis issued Hearing Decision 16-UI-73015, dismissing claimant's hearing request for failure to appear at the hearing. Claimant filed a timely request to reopen. On January 25, 2017, ALJ M. Davis conducted a hearing, and issued Hearing Decision 17-UI-75377, granting the request to reopen and concluding that claimant was not able to, available for, and actively seeking work from October 16, 2016 through January 21, 2017 (weeks 42-16 through 3-17). On January 28, 2017, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB reviewed the entire record in this case. On *de novo* review and pursuant to ORS 657.275(2), Hearing Decision 17-UI-75377 is **adopted**.

DECISION: Hearing Decision 17-UI-75377 is affirmed.

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

DATE of Service: February 2, 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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