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

727  
AAA 005.00  
MC 000.00

**EMPLOYMENT APPEALS BOARD DECISION**  
**2017-EAB-0120**

*Affirmed*  
*Late Request for Hearing Dismissed*

**PROCEDURAL HISTORY:** On November 10, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant did not actively seek work from October 9 through 22, 2016 (decision # 93344). On November 30, 2016, decision # 93344 became final without claimant having filed a request for hearing. On December 13, 2016, claimant filed a late request for hearing. On December 15, 2016, ALJ Kangas issued Hearing Decision 16-UI-72980, dismissing claimant's request for hearing, subject to his right to renew the request by responding to an appellant questionnaire by December 29, 2016. On December 27, 2016, claimant filed a timely response. On January 19, 2017, ALJ Shoemake conducted a hearing, and on January 24, 2017 issued Hearing Decision 17-UI-75272, re-dismissing claimant's request for hearing as untimely without a showing of good cause. On January 31, 2017, 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 17-UI-75272 is affirmed.

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

**DATE of Service:** February 3, 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](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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