

EMPLOYMENT APPEALS BOARD DECISION
2017-EAB-0157

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On September 9, 2016, the Oregon Employment Department (the Department) served notice of administrative decision # 120617, which concluded that claimant did not actively search for work from July 3 through July 9, 2016, and administrative decision # 122104, which concluded that claimant did not actively search for work from July 24 through August 13, 2016. On October 11, 2016, both administrative decisions became final without requests for hearing having been filed. On January 6, 2017, claimant filed late requests for hearing on both decisions. On January 12, 2017, ALJ Kangas issued Hearing Decision 17-UI-74561, which dismissed claimant's request for hearing on decision # 120617 as untimely, and Hearing Decision 17-UI-74559, which dismissed claimant's request for hearing on decision # 122104 as untimely. Both decisions were subject to claimant's right to renew his hearing requests by responding to an appellant questionnaire within 14 days. Claimant timely responded to the appellant questionnaires. On January 26, 2017, ALJ Kangas issued Hearing Decision 17-UI-75514, which re-dismissed claimant's request for hearing on decision # 120617, and Hearing Decision 17-UI-75513, which re-dismissed claimant's request for hearing on decision # 122104. On February 6, 2017, claimant filed applications for review with the Employment Appeals Board (EAB).

Pursuant to OAR 471-041-0095 (October 29, 2006), EAB consolidated its review of Hearing Decisions 17-UI-75513 and 17-UI-75514. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2017-EAB-0157 and 2017-EAB-0158).

EAB reviewed the entire records in these cases. On *de novo* review and pursuant to ORS 657.275(2), the hearing decisions under review are **adopted**.

DECISION: Hearing Decisions 17-UI-75513 and 17-UI-75514 are affirmed.

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

DATE of Service: February 13, 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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