

EMPLOYMENT APPEALS BOARD DECISION
2017-EAB-0311

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On October 13, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 95924). Claimant filed a timely request for hearing. On November 16, 2016, the Office of Administrative Hearings (OAH) mailed notice of a hearing scheduled for November 29, 2016 at 1:30 p.m., at which claimant failed to appear. On November 29, 2016, ALJ C. Smith issued Hearing Decision 16-UI-71892, dismissing claimant's hearing request for failure to appear. On December 19, 2016, claimant filed a request to reopen the hearing. On February 6, 2017, OAH mailed notice of a hearing scheduled for February 23, 2017 at 1:30 p.m. On February 23, 2017, ALJ Murdock conducted a hearing, and on February 28, 2017 issued Hearing Decision 17-UI-77898, denying claimant's request to reopen. On March 9, 2017, claimant filed an application for review of Hearing Decision 17-UI-77898 with the Employment Appeals Board (EAB).

Claimant failed to certify that she provided a copy of her argument to the other parties as required by OAR 471-041-0080(2)(a) (October 29, 2006). We therefore did not consider claimant's argument when reaching this decision. Even if we had, the outcome of this decision would remain the same for the reasons explained in Hearing Decision 17-UI-77898.

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-77898 is affirmed.

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

DATE of Service: March 15, 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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