

EMPLOYMENT APPEALS BOARD DECISION
2017-EAB-0411

Affirmed
Disqualification

PROCEDURAL HISTORY: On March 2, 2017, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant, not for misconduct (decision # 151205). The employer filed a timely request for hearing. On April 3, 2017, ALJ M. Davis conducted a hearing and issued Hearing Decision 17-UI-80156, concluding that claimant's discharge was for misconduct. On April 6, 2017, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant submitted written argument with his application for review, but failed to certify that he provided a copy of his argument to the other parties as required by OAR 471-041-0080(2)(a) (October 29, 2006). EAB therefore did not consider the argument when reaching this decision.

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-80156 is affirmed.

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

DATE of Service: April 12, 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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