

EMPLOYMENT APPEALS BOARD DECISION
2017-EAB-0443

Affirmed
Requests to Reopen Denied

PROCEDURAL HISTORY: On December 5, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision (decision # 133734) concluding that claimant filed a late claim for benefits for week 45-16 (November 6 through 12, 2016). On December 14, 2016, the Department served notice of an administrative decision concluding that claimant voluntarily left work without good cause (decision # 125939). Claimant filed timely requests for hearing. On February 17, 2017, the Office of Administrative hearings issued notices of hearings scheduled for March 3, 2017. On March 3, 2017, ALJ Seideman issued Hearing Decision 17-UI-78128, dismissing claimant's request for hearing on decision # 133734 for failure to appear, and Hearing Decision 17-UI-78127, dismissing claimant's request for hearing on decision # 125939 for failure to appear. On March 23, 2017, both decisions became final without requests for reopening or applications for review having been filed. On April 3, 2017, claimant filed untimely requests to reopen. On April 12, 2017, ALJ Kangas issued hearing decision 17-UI-80871, dismissing claimant's request to reopen the hearing on decision # 133734, and Hearing Decision 17-UI-80857, dismissing claimant's request to reopen the hearing on decision # 125939. On April 17, 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-80871 and 17-UI-80857. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2017-EAB-0442 and 2017-EAB-0433).

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

DECISION: Hearing Decisions 17-UI-80871 and 17-UI-80857 are affirmed.

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

DATE of Service: April 19, 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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