

**EMPLOYMENT APPEALS BOARD DECISION**  
**2017-EAB-0464**

*Affirmed*  
*No Disqualification*

**PROCEDURAL HISTORY:** On December 1, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant, not for misconduct (decision # 142117). The employer filed a timely request for hearing. On January 3, 2017, ALJ Murdock conducted a hearing at which claimant failed to appear, and on January 4, 2017 issued Hearing Decision 17-UI-74081, affirming the Department's decision. On January 10, 2017, the employer filed an application for review with the Employment Appeals Board (EAB). On January 27, 2017, EAB issued EAB Decision 2017-EAB-0040, reversing Hearing Decision 17-UI-74081 and remanding this matter for another hearing and hearing decision. On April 7, 2017, ALJ Murdock conducted a hearing at which claimant failed to appear, and on April 12, 2017 issued Hearing Decision 17-UI-80852, re-affirming decision # 142117. On April 22, 2017, the employer filed an application for review with 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-80852 is affirmed.

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

**DATE of Service:** May 17, 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.

**Please help us improve our service by completing an online customer service survey.** To complete the survey, please go to <https://www.surveymonkey.com/s/5WQXNJH>. If you are unable to complete the survey online and wish to have a paper copy of the survey, please contact our office.