

EMPLOYMENT APPEALS BOARD DECISION
2017-EAB-0611

Affirmed
Request to Reopen Dismissed

PROCEDURAL HISTORY: On March 7, 2017, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 94416). Claimant filed a timely request for hearing. On March 21, 2017, the Office of Administrative Hearings (OAH) mailed notice of a hearing scheduled for March 31, 2017. On March 28, 2017, OAH postponed the hearing upon claimant's request. On March 28, 2017, OAH mailed notice of a hearing scheduled for April 11, 2017. On April 11, 2017, ALJ Sgroi issued Hearing Decision 17-UI-80724, dismissing claimant's request for hearing for failure to appear. On May 1, 2017, Hearing Decision 17-UI-80724 became final without claimant having requested reopening. On May 8, 2017, claimant filed a late request to reopen the hearing. On May 11, 2017, ALJ Kangas reviewed claimant's request and issued Hearing Decision 17-UI-83140, dismissing claimant's late request to reopen. On May 16, 2017, claimant filed an application for review of Hearing Decision 17-UI-83140 with the Employment Appeals Board (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-83140 is affirmed.

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

DATE of Service: June 6, 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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