

EMPLOYMENT APPEALS BOARD DECISION
2017-EAB-1325

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On August 17, 2017, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant quit working for the employer without good cause (decision # 134926). Claimant filed a timely request for hearing. On August 30, 2017, the Office of Administrative Hearings (OAH) served notice of a hearing scheduled for September 13, 2017. On September 13, 2017, claimant failed to appear at the hearing, and ALJ S. Lee issued Hearing Decision 17-UI-92480 dismissing claimant's request for hearing due to her failure to appear. On September 27, 2017, claimant filed a timely request to reopen the hearing. On October 24, 2017, ALJ S. Lee conducted a hearing, and on October 26, 2017 issued Hearing Decision 17-UI-95504, denying claimant's request. On November 13, 2017, claimant filed a timely application for review of Hearing Decision 17-UI-95504 with the Employment Appeals Board (EAB).

Claimant submitted written argument with her application for review, but 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). Therefore, we 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-95504 is affirmed.

J. S. Cromwell and D. P. Hettle.

DATE of Service: November 20, 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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