

EMPLOYMENT APPEALS BOARD DECISION
2017-EAB-1391

Affirmed
Late Claim Denied

PROCEDURAL HISTORY: On August 11, 2017, the Oregon Employment Department (the Department) served notice of an administrative decision denying claimant's late claim for the week of July 16, 2017 to July 22, 2017 (decision # 135449). Claimant filed a timely request for hearing. On November 9, 2017, ALJ Amesbury conducted a hearing, and on November 16, 2017 issued Hearing Decision 17-UI-96994, affirming the Department's decision. On November 30, 2017, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB reviewed the entire hearing record. Although we understand that claimant made an inadvertent mistake in failing to complete her claim for the week at issue and did not realize the mistake until it was too late to file a timely claim, the applicable administrative rules do not allow for any exceptions to the filing deadline, and claimant's late claim must be denied. Therefore, on *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

DECISION: Hearing Decision 17-UI-96994 is affirmed.

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

DATE of Service: December 7, 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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