

**EMPLOYMENT APPEALS BOARD DECISION**  
**2017-EAB-1449**

*Affirmed*  
*No Disqualification*

**PROCEDURAL HISTORY:** On September 15, 2017, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 152838). Claimant filed a timely request for hearing. On November 20, 2017, ALJ Griffin conducted a hearing that was continued on December 6, 2017, and on December 8, 2017 issued Hearing Decision 17-UI-98654, concluding the employer discharged claimant, but not for misconduct. On December 19, 2017, the employer filed an application for review with the Employment Appeals Board (EAB).

EAB reviewed the entire hearing record, including both hearing transcripts and the exhibits of the employer and claimant. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

**DECISION:** Hearing Decision 17-UI-98654 is affirmed.

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

**DATE of Service:** January 26, 2018

**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.

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