

EMPLOYMENT APPEALS BOARD DECISION
2017-EAB-1480

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On October 26, 2017, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 72848). On November 15, 2017, decision # 72848 became final without claimant having filed a timely request for hearing. On November 17, 2017, claimant filed a late request for hearing. On November 27, 2017, ALJ Kangas issued Hearing Decision 17-UI-97599, dismissing claimant's late request for hearing subject to his right to renew the request by responding to an appellant questionnaire by December 11, 2017. On December 1, 2017, claimant responded to the appellant questionnaire. On December 6, 2017, ALJ Kangas reviewed claimant's response and issued Hearing Decision 17-UI-98417, re-dismissing claimant's late request for hearing. On December 26, 2017, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant failed to certify that he provided a copy of his 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. Even if we had, the outcome of this decision would remain the same for the reasons explained in Hearing Decision 17-UI-98417.

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-98417 is affirmed.

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

DATE of Service: December 28, 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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