

EMPLOYMENT APPEALS BOARD DECISION
2018-EAB-0025

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On July 21, 2016, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant did not actively seek work from June 5 through July 2, 2016 (decision # 114125). On August 10, 2017, decision # 114125 became final without claimant having filed a request for hearing. On November 9, 2017, claimant filed a late request for hearing. On November 15, 2017, ALJ Kangas issued Hearing Decision 17-UI-96905, dismissing claimant's late request for hearing subject to his right to renew his request by responding to an appellant questionnaire within 14 days. On November 27, 2017, claimant filed a timely response to the appellant questionnaire. On November 29, 2017, the Office of Administrative Hearings (OAH) cancelled and vacated Hearing Decision 17-UI-96905, and on December 5, 2017 scheduled a hearing on claimant's late request for hearing and, if necessary, the merits of decision # 114125, for December 19, 2017. On December 19, 2017, ALJ Clink conducted a hearing on claimant's late request for hearing, and on December 21, 2017 issued Hearing Decision 17-UI-99510, re-dismissing the request. On January 8, 2018, claimant filed an application for review of Hearing Decision 17-UI-99510 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-99510 is affirmed.

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

DATE of Service: January 19, 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. 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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