

EMPLOYMENT APPEALS BOARD DECISION
2018-EAB-0053

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On August 1, 2017, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant was not available for work from July 9 through 15, 2017 (decision # 121742). On August 21, 2017, decision # 121742 became final without claimant having filed a request for hearing. On December 7, 2017, claimant filed a late request for hearing. On December 13, 2017, ALJ Kangas issue Hearing Decision 17-UI-98889, dismissing claimant's request for hearing subject to his right to renew his request by responding to an appellant questionnaire by December 27, 2017. Claimant filed a timely response to the appellant questionnaire. ALJ Kangas reviewed claimant's response, and on January 11, 2018 issued Hearing Decision 18-UI-100762, re-dismissing claimant's request for hearing as untimely without good cause. On January 16, 2018, claimant filed a timely application for review of Hearing Decision 18-UI-100762 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 18-UI-100762 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. 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.

Please help us improve our service by completing an online customer service survey. To complete the survey, please go to <https://www.surveymonkey.com/s/5WQXNJH>. If you are unable to complete the survey online and wish to have a paper copy of the survey, please contact our office.