

EMPLOYMENT APPEALS BOARD DECISION
2018-EAB-0063

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On June 30, 2017, the Oregon Employment Department (the Department) served notice of an administrative decision assessing claimant a \$2,041 overpayment, 18 penalty weeks and a \$408.20 monetary penalty (decision # 193351). On July 20, 2017, decision # 193351 became final without claimant having filed a request for hearing. On October 31, 2017, claimant filed a late request for hearing. On December 29, 2017, ALJ Shoemake conducted a hearing, and on January 9, 2018 issued Hearing Decision 18-UI-100532, dismissing claimant's late request for hearing. On January 17, 2018, claimant filed an application for review 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-100532 is affirmed.

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

DATE of Service: January 29, 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.