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State of Oregon
Employment Appeals Board
875 Union St. N.E.
Salem, OR 97311

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EMPLOYMENT APPEALS BOARD DECISION
2018-EAB-0143

Affirmed
Late Request for Hearing Allowed
Ineligible

PROCEDURAL HISTORY: On June 1, 2017, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was not available for work from September 11, 2016 to November 26, 2016 and December 4, 2016 to December 10, 2016 (decision # 133704). On June 21, 2017, decision # 133704 became final without claimant having filed a timely request for hearing. On November 17, 2017, claimant filed a late request for hearing. On December 12, 2017 and January 12, 2017, ALJ Wyatt conducted a hearing; claimant appeared at only the December 12, 2017 hearing. On January 19, 2017, the ALJ issued Hearing Decision 18-UI-101297, allowing claimant's late request for hearing and affirming decision # 133704. On February 8, 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-101297 is affirmed.

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

DATE of Service: March 6, 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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