

EMPLOYMENT APPEALS BOARD DECISION
2018-EAB-0231

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On May 30, 2013, the Oregon Employment Department (the Department) served notice of an administrative decision assessing a \$1,122 overpayment, \$168.30 monetary penalty and 9 penalty weeks (decision # 193431). On June 19, 2013, decision # 193431 became final without claimant having filed a timely request for hearing. On February 5, 2018, claimant filed a late request for hearing. On February 8, 2018, ALJ Kangas issued Hearing Decision 18-UI-102865, dismissing claimant's late request for hearing subject to his right to renew the request by responding to an appellant questionnaire by February 22, 2018. On February 20, 2018, claimant responded to the request. On February 26, 2018, ALJ Kangas reviewed claimant's response and issued Hearing Decision 18-UI-103978, re-dismissing claimant's late request for hearing. On March 2, 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-103978 is affirmed.

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

DATE of Service: March 27, 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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