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

455
VQ 005.00
DS 005.00

EMPLOYMENT APPEALS BOARD DECISION
2018-EAB-0242

Affirmed
No Disqualification

PROCEDURAL HISTORY: On January 18, 2018, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 154345). Claimant filed a timely request for hearing. On February 23, 2018, ALJ Shoemake conducted a hearing, and on March 1, 2018 issued Hearing Decision 18-UI-104256, concluding the employer discharged claimant, but not for misconduct. On March 7, 2018, the employer filed an application for review with the Employment Appeals Board (EAB).

EAB considered the parties' written arguments to the extent they were relevant and based upon the hearing record. EAB did not consider new information contained in the arguments because the parties failed to show that factors or circumstances beyond their reasonable control prevented them from offering the information into evidence during the hearing. *See accord* OAR 657.275(2); OAR 471-041-0090 (October 29, 2016).

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-104256 is affirmed.

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

DATE of Service: April 4, 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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