

EMPLOYMENT APPEALS BOARD DECISION
2018-EAB-0295

Affirmed
Ineligible

PROCEDURAL HISTORY: On January 9, 2018, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was not eligible for TRA-A benefits beginning October 22, 2017 because he had completed his training program on October 17, 2017 (decision # 83210). Claimant filed a timely request for hearing. On February 23, 2018, ALJ Wyatt conducted a hearing, and on March 2, 2018 issued Hearing Decision 18-UI-104306, affirming the Department's decision. On March 22, 2018, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB received and considered claimant's written argument; however, there is no provision in the law under which claimant may be deemed eligible for TRA benefits after he has completed his training program, and no basis in the law for concluding that claimant is still engaged in his training program while working to pass certification tests that are not required in or part of the training program.

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-104306 is affirmed.

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

DATE of Service: April 11, 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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