

EMPLOYMENT APPEALS BOARD DECISION
2018-EAB-0413

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On October 27, 2017, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant quit work with good cause (decision # 151359). The employer filed a timely request for hearing. On December 1, 2017, the Office of Administrative Hearings (OAH) mailed notice of a hearing scheduled for December 14, 2017. On December 14, 2017, OAH mailed notice of a rescheduled hearing to January 3, 2018. On January 4, 2018, ALJ Scott issued Order No. 18-UI-100146, dismissing the employer's hearing request for failure to appear. On January 16, 2018, the employer filed a timely request to reopen the January 3rd hearing. On February 9, 2018, OAH mailed notice of a hearing scheduled for February 23, 2018 at 8:15 a.m. On February 23, 2018, shortly before 8:00 a.m., the employer requested that the hearing be postponed and OAH denied the request. On February 23, 2018, ALJ Wyatt issued Order No. 18-UI-103852, dismissing the employer's request for failure to appear. On March 14, 2018, the employer filed a timely request to reopen the February 23rd hearing. On March 23, 2018, OAH mailed notice of a hearing scheduled for April 6, 2018. On April 6, 2018, ALJ Wyatt conducted a hearing, and on April 13, 2018 issued Order No. 18-UI-107386, denying the employer's request to reopen the February 23rd hearing. On April 24, 2018, the employer filed an application for review of Order No. 18-UI-107386 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 order under review is **adopted**.

DECISION: Order No. 18-UI-107386 is affirmed.

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

DATE of Service: May 2, 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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