

EMPLOYMENT APPEALS BOARD DECISION
2018-EAB-0465

Affirmed
Disqualification

PROCEDURAL HISTORY: On January 9, 2018, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 81129). Claimant filed a timely request for hearing. On February 13, 2018, ALJ Murdock conducted a hearing, and on February 14, 2018 issued Order No. 18-UI-103292, affirming the Department's decision. On February 20, 2018, claimant filed an application for review with the Employment Appeals Board (EAB). On March 19, 2018, EAB issued Appeals Board Decision 2018-EAB-0193, reversing and remanding the case to the Office of Administrative Hearings. On April 16, 2018, ALJ Murdock conducted a hearing, and on April 18, 2018 issued Order No. 18-UI-107615, re-affirming decision # 81129. On April 30, 2018, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant failed to certify that he provided a copy of his argument to the other parties as required by OAR 471-041-0080(2)(a) (October 29, 2006). Therefore, we did not consider the argument when reaching this decision. Even if we had, the outcome of this decision would remain the same. Having reviewed the entire hearing record, it appears on review that claimant had a full and fair opportunity to provide evidence about the reason he voluntarily left work, and we agree with the ALJ that claimant did not establish that it was more likely than not that he left work with good cause.

EAB reviewed the entire hearing record. On *de novo* review and pursuant to ORS 657.275(2), the Order under review is **adopted**.

DECISION: Order No. 18-UI-107615 is affirmed.

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

DATE of Service: May 31, 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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