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

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<p>EMPLOYMENT APPEALS BOARD DECISION 2018-EAB-0492</p>

Affirmed
Late Requests to Reopen Denied

PROCEDURAL HISTORY: On August 3, 2017, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was not able to work from July 9, 2017 to July 29, 2017 (decision # 113622). On August 22, 2017, the Department served notice of another decision denying claimant benefits for July 30, 2017 to August 5, 2017 for failing to complete her iMatchSkills registration (the iMatch decision). On August 23, 2017, decision # 113622 became final without claimant having filed a timely request for hearing. On September 11, 2017, the iMatch decision became final without claimant having filed a request for hearing. On September 20, 2017, claimant filed late requests for hearing on both decisions.

On September 26, 2017, ALJ Kangas issued Order No. 17-UI-93271, dismissing claimant's request for hearing on the iMatch decision, and Order No. 17-UI-93293, dismissing claimant's request for hearing on decision# 113622, both subject to claimant's right to renew the requests by responding to an appellant questionnaire by October 10, 2017. On September 29, 2017, claimant responded to the questionnaires. On October 4, 2017, the ALJ mailed letters to claimant that stated Order Nos. 17-UI-93271 and 17-UI-93293 were canceled and that a hearing would be scheduled.

On October 10, 2017, the Office of Administrative Hearings (OAH) mailed notice of a consolidated hearing scheduled for October 24, 2017, at which time claimant failed to appear for the hearings. On October 24, 2017, ALJ R. Frank issued Order No. 17-UI-95221, dismissing claimant's request for hearing on the iMatch decision, and Order No. 17-UI-95225, dismissing claimant's request for hearing on decision # 113622. On November 13, 2017, Order Nos. 17-UI-95221 and 17-UI-95225 became final without claimant having filed a timely request to reopen.

On March 12, 2018, claimant filed late requests to reopen the October 24th hearing on both matters. On April 4, 2018, OAH mailed notice of a consolidated hearing scheduled for April 18, 2018. On April 18, 2017, ALJ R. Frank conducted a hearing, and on April 26, 2018 issued Order No. 18-UI-108211, denying claimant's late request to reopen on decision # 113622, and Order No. 18-UI-108212, denying claimant's late request to reopen the hearing on the iMatch decision. On May 9, 2018, claimant filed

applications for review of Orders 18-UI-108211 and 18-UI-108212 with the Employment Appeals Board (EAB).

Pursuant to OAR 471-041-0095 (October 29, 2006), EAB consolidated its review of Orders 18-UI-108211 and 18-UI-108212. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2018-EAB-0491 and 2018-EAB-0492).

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

DECISION: Order Nos. 18-UI-108211 and 18-UI-108212 are affirmed.

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

DATE of Service: May 24, 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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