

**EMPLOYMENT APPEALS BOARD DECISION**  
**2018-EAB-0660**

*Affirmed*  
*Request to Reopen Denied*

**PROCEDURAL HISTORY:** On March 29, 2018, the Oregon Employment Department (the Department) served notice of an administrative decision concluding the employer discharged claimant for misconduct (decision # 110327). Claimant filed a timely request for hearing. On April 26, 2018, the Office of Administrative Hearings (OAH) scheduled a hearing for May 10, 2018. On May 10, 2018, claimant failed to appear at the hearing, and on May 16, 2018, ALJ Wyatt issued Order No. 18-UI-109515, dismissing claimant's request for hearing due to his failure to appear. On May 23, 2018, claimant filed a timely request to reopen the hearing. On June 19, 2018, ALJ Wyatt conduct a hearing on claimant's request for a reopening, and on June 21, 2018 issued Order No. 18-UI-111794, denying the request. On July 2, 2018, claimant filed a timely application for review of Order No. 18-UI-111794 with the Employment Appeals Board (EAB).

EAB considered the entire hearing record. With his application for review, claimant submitted a written argument containing information regarding his discharge by the employer. However, that information is not relevant to EAB's determination of the issue before us, whether claimant had good cause for failing to appear at the May 10, 2018 hearing. We therefore did not consider claimant's written argument when reaching this decision. *See* OAR 471-040-0090 (October 29, 2006).

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

**DECISION:** Order No. 18-UI-111794 is affirmed.  
*La Orden de la Audiencia 18-UI-111794 queda confirmada.*

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

**DATE of Service: July 17, 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](http://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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*NOTA: Usted puede apelar esta decisión presentando una solicitud de revisión judicial ante la Corte de Apelaciones de Oregon (Oregon Court of Appeals) dentro de los 30 días siguientes a la fecha de notificación indicada arriba. Ver ORS 657.282. Para obtener formularios e información, puede escribir a la Corte de Apelaciones de Oregon, Sección de Registros (Oregon Court of Appeals/Records Section), 1163 State Street, Salem, Oregon 97310 o visite el sitio web en [courts.oregon.gov](http://courts.oregon.gov). En este sitio web, hay información disponible en español.*

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