

EMPLOYMENT APPEALS BOARD DECISION
2018-EAB-0677

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On March 28, 2018, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 142551). Claimant filed a timely request for hearing. On April 12, 2018, the Office of Administrative Hearings (OAH) mailed notice of a hearing scheduled for April 26, 2018 at 8:15 a.m., at which time claimant failed to appear at the hearing. On April 26, 2018, ALJ Wyatt issued Order No. 18-UI-108219, dismissing claimant's request for hearing for failure to appear. On May 16, 2018, Order No. 18-UI-108219 became final without claimant having filed a request to reopen. On June 22, 2018, claimant filed a late request to reopen. On June 26, 2018, ALJ Kangas considered claimant's request and issued Order No. 18-UI-112040, extending the deadline for claimant to file her request to reopen, but concluding claimant did not show good cause to reopen the hearing and denying her request. On July 2, 2018, claimant filed an application for review with the Employment Appeals Board (EAB).

Claimant failed to certify that she provided a copy of her 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 case would remain the same; claimant's argument primarily focused on her work separation, but the only issue before EAB is whether or not she had good cause to reopen the April 26th hearing.

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: Order No. 18-UI-112040 is affirmed.

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

DATE of Service: July 13, 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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