

**EMPLOYMENT APPEALS BOARD DECISION**  
**2018-EAB-0773**

*Affirmed ~ No Disqualification*  
*Afirmada ~ No Descalificación*

**PROCEDURAL HISTORY:** On June 22, 2018, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that the employer discharged claimant for misconduct (decision # 100057). Claimant filed a timely request for hearing. On July 20, 2018, ALJ Frank conducted a hearing, and on July 26, 2018 issued Order No. 18-UI-113888, concluding claimant was discharged, but not for misconduct. On August 6, 2018, the employer filed an application for review 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 decision under review is **adopted**.

**DECISION:** Order No. 18-UI-113888 is affirmed.  
*La Orden de la Audiencia 18-UI-113888 queda confirmada.*

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

**DATE of Service: September 6, 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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