

EMPLOYMENT APPEALS BOARD DECISION
2018-EAB-0918

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On July 20, 2018, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant was not available for work from June 17, 2018 through July 14, 2018 (decision # 81702). Claimant filed a timely request for hearing. On August 7, 2018, the Office of Administrative Hearings (OAH) served notice of a hearing scheduled for August 21, 2018. On August 21, 2018, claimant failed to appear at the hearing, and ALJ Lee issued Order No. 18-UI-115334, dismissing claimant's request for hearing because she failed to appear. On September 10, 2018, Order No. 18-UI-115334 became final without claimant having filed a timely request to reopen the August 21, 2018 hearing. On September 13, 2018, claimant filed a late request to reopen the hearing. ALJ Kangas considered claimant's request, and on September 18, 2018 issued Order No. 18-UI-116750 denying the request as untimely without a showing of good cause. On September 21, 2018, claimant 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 Order under review is **adopted**.

DECISION: Order No. 18-UI-116750 is affirmed.

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

DATE of Service: September 27, 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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