

EMPLOYMENT APPEALS BOARD DECISION
2018-EAB-0959

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On February 15, 2018, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant was not able to work from August 21 through 27, 2016 (decision # 113725). On March 7, 2018, decision # 113725 became final without claimant having filed a request for hearing. On August 6, 2018, claimant filed a late request for hearing. On August 29, 2018, the Office of Administrative Hearings (OAH) served notice of a hearing scheduled for September 12, 2018. On September 12, 2018, claimant failed to appear at the hearing, and ALJ Wyatt dismissed claimant's request for hearing due to his failure to appear. On September 17, 2018, claimant filed a timely request to reopen the hearing. ALJ Kangas considered claimant's request, and on September 25, 2018 issued Order No. 18-UI-117131, dismissing the request. On October 2, 2018, claimant filed an application for review of 18-UI-117131 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-117131 is affirmed.

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

DATE of Service: October 19, 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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