

EMPLOYMENT APPEALS BOARD DECISION
2019-EAB-0283

Affirmed
Ineligible

PROCEDURAL HISTORY: On December 19, 2018, the Oregon Employment Department (the Department) mailed five notices of five administrative decisions: decision # 110917 concluded claimant was not available for work from December 2, 2018 to December 8, 2018; decision # 112104 concluded claimant was not available for work from December 2, 2018 to December 8, 2018; decision # 93717 concluded claimant did not actively seek work from November 18, 2018 to December 8, 2018; decision # 102432 concluded claimant was not available for work from November 18, 2018 to November 24, 2018; and decision # 110001 concluded claimant was not available for work from November 18, 2018 to November 24, 2018. Claimant filed timely requests for hearing on all five decisions.

On January 3, 2019, the Office of Administrative Hearings (OAH) mailed notice of a consolidated hearing scheduled for January 15, 2019 at 3:30 p.m., at which time claimant failed to appear. On January 16, 2019, ALJ Meerdink issued five orders dismissing claimant's requests for hearing for failure to appear: Order No. 19-UI-122821 dismissed claimant's request for hearing on decision # 110917; Order No. 19-UI-122823 dismissed claimant's request for hearing on decision # 112104; Order No. 19-UI-122824 dismissed claimant's request for hearing on decision # 93717; Order No. 19-UI-122825 dismissed claimant's request for hearing on decision # 102432; and Order No. 19-UI-122826 dismissed claimant's request for hearing on decision # 110001.

On February 5, 2019, claimant filed a timely request to reopen the consolidated hearing. On February 20, 2019, OAH mailed notice of a consolidated hearing scheduled for March 4, 2019. On March 4, 2019, ALJ Monroe conducted the hearing, and on March 7, 2019, issued: Order No. 19-UI-125915, denying claimant's request to reopen the hearing on decision # 110917; Order No. 19-UI-125917, denying claimant's request to reopen the hearing on decision # 112104; Order No. 19-UI-125918, denying claimant's request to reopen the hearing on decision # 93717; Order No. 19-UI-125919, denying claimant's request to reopen the hearing on decision # 102432; and Order No. 19-UI-125920, denying claimant's request to reopen the hearing on decision # 110001.

On March 18, 2019, claimant filed timely applications for review of all five Orders with the Employment Appeals Board (EAB).

Pursuant to OAR 471-041-0095 (October 29, 2006), EAB consolidated its review of Order Nos. 19-UI-125915, 19-UI-12917, 19-UI-125918, 19-UI-125919, and 19-UI-125920. For case-tracking purposes, this decision is being issued in quintuplicate (EAB Decisions 2019-EAB-0281, 2019-EAB-0282, 2019-EAB-0283, 2019-EAB-0284, and 2019-EAB-0285).

EAB reviewed the entire hearing record and claimant's written argument. On *de novo* review and pursuant to ORS 657.275(2), the Order under review is **adopted**.

DECISION: Order Nos. 19-UI-125915, 19-UI-12917, 19-UI-125918, 19-UI-125919, and 19-UI-125920 are affirmed.

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

DATE of Service: March 25, 2019

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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