

EMPLOYMENT APPEALS BOARD DECISION
2019-EAB-1135

Affirmed
Late Request to Reopen Dismissed

PROCEDURAL HISTORY: On July 25, 2019, the Oregon Employment Department (the Department) served seven notices of seven administrative decisions, six concluding that claimant was disqualified from receiving unemployment insurance benefits for refusing six offers of suitable work without good cause (decisions # 95637, 95234, 94906, 94203, 93429 and 85125), and one concluding that claimant was ineligible for benefits from June 2, 2019 to July 20, 2019, because claimant was not available for work (decision # 104527).

On August 6, 2019, claimant filed a timely request for hearing on all seven decisions. On August 16, 2019, the Office of Administrative Hearings (OAH) served notice of a consolidated hearing on all seven decisions, scheduled for August 26, 2019. On August 26, 2019, claimant failed to appear at the hearing, and ALJ Scott issued Orders No. 19-UI-135573 dismissing the request for hearing on decision # 95637, No. 19-UI-135581 dismissing the request for hearing on decision # 95234, No. 19-UI-135580 dismissing the request for hearing on decision # 94906, No. 19-UI-135578 dismissing the request for hearing on decision # 94203, No. 19-UI-135577 dismissing the request for hearing on decision #93429, No. 19-UI-135575 dismissing the request for hearing on decision # 85125, and No. 19-UI-135574 dismissing the request for hearing on decision # 104527, for failure to appear.

On September 16, 2019, Orders No. 19-UI-135573, 19-UI-135581, 19-UI-135580, 19-UI-135578, 19-UI-135577, 19-UI-135575 and 19-UI-135574 became final without claimant having filed a request to reopen the August 26th hearing. On November 25, 2019, claimant filed a late request to reopen the hearing. ALJ Kangas considered claimant's request, and on November 26, 2019, issued Orders No. 19-UI-140353, 19-UI-140354, 19-UI-140366, 19-UI-140364, 19-UI-140370, 19-UI-140381 and 19-UI-140389, dismissing the request. On December 4, 2019, claimant filed timely applications for review of Orders No. 19-UI-140353, 19-UI-140354, 19-UI-140366, 19-UI-140364, 19-UI-140370, 19-UI-140381 and 19-UI-140389, with the Employment Appeals Board (EAB).

Pursuant to OAR 471-041-0095 (May 13, 2019), EAB consolidated its review of Orders No. 19-UI-140353, 19-UI-140354, 19-UI-140366, 19-UI-140364, 19-UI-140370, 19-UI-140381 and 19-UI-

140389. For case-tracking purposes, this decision is being issued in septuplicate (EAB Decisions 2019-EAB-1131, 2019-EAB-1132, 2019-EAB-1133, 2019-EAB-1134, 2019-EAB-1135, 2019-EAB-1136 and 2019-EAB-1137).

EAB reviewed all seven hearing records. On *de novo* review and pursuant to ORS 657.275(2), the orders under review are **adopted**.

DECISION: Orders No. 19-UI-140353, 19-UI-140354, 19-UI-140366, 19-UI-140364, 19-UI-140370, 19-UI-140381 and 19-UI-140389 are affirmed.

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

DATE of Service: December 13, 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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Understanding Your Employment Appeals Board Decision

English

Attention – This decision affects your unemployment benefits. If you do not understand this decision, contact the Employment Appeals Board immediately. If you do not agree with this decision, you may file a Petition for Judicial Review with the Oregon Court of Appeals following the instructions written at the end of the decision.

Simplified Chinese

注意 – 本判決會影響您的失業救濟金。如果您不明白本判決，請立即聯繫就業上訴委員會。如果您不同意此判決，您可以按照該判決結尾所寫的說明，向俄勒岡州上訴法院提出司法複審申請。

Traditional Chinese

注意 – 本判決會影響您的失業救濟金。如果您不明白本判決，請立即聯繫就業上訴委員會。如果您不同意此判決，您可以按照該判決結尾所寫的說明，向俄勒岡州上訴法院提出司法複審申請。

Tagalog

Paalala – Nakakaapekto ang desisyong ito sa iyong mga benepisyo sa pagkawala ng trabaho. Kung hindi mo naiintindihan ang desisyong ito, makipag-ugnayan kaagad sa Lupon ng mga Apela sa Trabaho (Employment Appeals Board). Kung hindi ka sumasang-ayon sa desisyong ito, maaari kang maghain ng isang Petisyon sa Pagsusuri ng Hukuman (Petition for Judicial Review) sa Hukuman sa Paghahabol (Court of Appeals) ng Oregon na sinusunod ang mga tagubilin na nakasulat sa dulo ng desisyong.

Vietnamese

Chú ý - Quyết định này ảnh hưởng đến trợ cấp thất nghiệp của quý vị. Nếu quý vị không hiểu quyết định này, hãy liên lạc với Ban Kháng Cáo Việc Làm ngay lập tức. Nếu quý vị không đồng ý với quyết định này, quý vị có thể nộp Đơn Xin Tái Xét Tư Pháp với Tòa Kháng Cáo Oregon theo các hướng dẫn được viết ra ở cuối quyết định này.

Spanish

Atención – Esta decisión afecta sus beneficios de desempleo. Si no entiende esta decisión, comuníquese inmediatamente con la Junta de Apelaciones de Empleo. Si no está de acuerdo con esta decisión, puede presentar una Aplicación de Revisión Judicial ante el Tribunal de Apelaciones de Oregon siguiendo las instrucciones escritas al final de la decisión.

Russian

Внимание – Данное решение влияет на ваше пособие по безработице. Если решение Вам непонятно – немедленно обратитесь в Апелляционный Комитет по Трудоустройству. Если Вы не согласны с принятым решением, вы можете подать Ходатайство о Пересмотре Судебного Решения в Апелляционный Суд штата Орегон, следуя инструкциям, описанным в конце решения.

Khmer

ចំណុចសំខាន់ – សេចក្តីសម្រេចនេះមានផលប៉ះពាល់ដល់អត្ថប្រយោជន៍គ្មានការងារធ្វើរបស់លោកអ្នក។ ប្រសិនបើលោកអ្នកមិនយល់អំពីសេចក្តីសម្រេចនេះ សូមទាក់ទងគណៈកម្មការឧទ្ធរណ៍ការងារភ្លាមៗ។ ប្រសិនបើលោកអ្នកមិនយល់ស្របចំពោះសេចក្តីសម្រេចនេះទេ លោកអ្នកអាចដាក់ពាក្យប្តឹងសុំឲ្យមានការពិនិត្យរឿងក្តីឡើងវិញជាមួយតុលាការឧទ្ធរណ៍រដ្ឋ Oregon ដោយអនុវត្តតាមសេចក្តីណែនាំដែលសរសេរនៅខាងចុងបញ្ចប់នៃសេចក្តីសម្រេចនេះ។

Laotian

ເອົາໃຈໃສ່ – ຄຳຕັດສິນນີ້ມີຜົນກະທົບຕໍ່ກັບເງິນຊ່ວຍເຫຼືອການຫວ່າງງານຂອງທ່ານ. ຖ້າທ່ານບໍ່ເຂົ້າໃຈຄຳຕັດສິນນີ້, ກະລຸນາຕິດຕໍ່ຫາຄະນະກຳມະການອຸທອນການຈ້າງງານໃນທັນທີ. ຖ້າທ່ານບໍ່ເຫັນດີນຳຄຳຕັດສິນນີ້, ທ່ານສາມາດຍື່ນຄຳຮ້ອງຂໍການທົບທວນຄຳຕັດສິນນຳສານອຸທອນລັດ Oregon ໄດ້ ໂດຍປະຕິບັດຕາມຄຳແນະນຳທີ່ບອກໄວ້ຢູ່ຕອນທ້າຍຂອງຄຳຕັດສິນນີ້.

Arabic

هذا القرار قد يؤثر على منحة البطالة الخاصة بك، إذا لم تفهم هذا القرار، إتصل بمجلس منازعات العمل فوراً، و إذا كنت لا توافق على هذا القرار، يمكنك رفع شكوى للمراجعة القانونية بمحكمة الإستئناف بأوريغون و ذلك بإتباع الإرشادات المدرجة أسفل القرار.

Farsi

توجه - این حکم بر مزایای بیکاری شما تاثیر می گذارد. اگر با این تصمیم موافق نیستید، بلافاصله با هیأت فرجام خواهی استخدام تماس بگیرید. اگر از این حکم رضایت ندارید، می‌توانید با استفاده از دستور العمل موجود در پایان آن، از دادگاه تجدید نظر اورگان درخواست تجدید نظر کنید.

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