

**EMPLOYMENT APPEALS BOARD DECISION**  
**2022-EAB-1195**

*Affirmed ~ Confirmada*  
*Ineligible Weeks 33-22 to 35-22 ~ No Elegible Semanas 33-22 a 35-22*

**PROCEDURAL HISTORY:** On September 8, 2022, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant failed to provide information in accordance with the Department's rules and therefore was not eligible for unemployment insurance benefits for the weeks including August 14, 2022 through September 3, 2022 (weeks 33-22 to 35-22), and until the reason for the denial had ended (decision # 604030). Claimant filed a timely request for hearing. On November 9, 2022, ALJ Frank conducted a hearing, and on November 17, 2022 issued Order No. 22-UI-207653, affirming<sup>1</sup> the administrative decision. On November 30, 2022, claimant filed an application for review of Order No. 22-UI-207653 with the Employment Appeals Board (EAB).

**HISTORIA PROCESAL:** El 8 de septiembre de 2022, el Departamento de Empleo de Oregon (el Departamento) envió notificación de una decisión administrativa concluyendo que el reclamante no proporcionó información de acuerdo con las reglas del Departamento y, por lo tanto, no era elegible para recibir beneficios de desempleo para las semanas del 14 de agosto de 2022 al 3 de septiembre de 2022 (semanas 33-22 a 35-22), y hasta que la razón de la denegación hubiera terminado (decisión # 604030). El reclamante presentó una solicitud de audiencia oportuna. El 9 de noviembre de 2022, el juez administrativo (ALJ) Frank llevó a cabo una audiencia, y el 17 de noviembre de 2022 emitió la Orden No. 22-UI-207653, confirmando<sup>2</sup> la decisión # 604030. El 30 de noviembre de 2022, el reclamante presentó una solicitud de revisión de la Orden No. 22-UI-207653 con la Junta de Apelaciones de Empleo (EAB).

<sup>1</sup> Although Order No. 22-UI-207653 stated that it modified decision # 604030 to include the additional period claimed, it affirmed that decision. Order No. 22-UI-207653 identifies week 36-22 as the additional period claimed; however, the record shows that claimant did not claim benefits for this week and the only weeks affected by the Order are weeks 33-22 to 35-22.

<sup>2</sup> Aunque la Orden No. 22-UI-207653 dijo que modificó la decisión # 604030 para incluir un período adicional reclamado, en realidad la orden afirmó decisión # 604030. La Orden No. 22-UI-207653 dijo que la semana 36-22 era el período adicional reclamado; sin embargo, el expediente muestra que el reclamante no reclamó beneficios para semana 36-22 y las únicas semanas afectadas por la orden son las semanas 33-22 a 35-22.

**FINDINGS OF FACT:** (1) On August 15, 2022, claimant filed an initial claim for unemployment benefits. When claimant filed his initial claim for benefits he received three notifications that he would need to submit identity verification through the ID.me website. Claimant was provided a link to complete this requirement, but did not complete the ID.me verification when he submitted his initial claim.

(2) On August 16, 2022, the Department mailed claimant a letter stating that he needed to complete the identity verification through the ID.me website or his benefits may be denied. The letter notified claimant that the deadline to complete this verification was September 6, 2022. Claimant received and read this letter.

(3) Claimant claimed benefits for the period of August 14, 2022 through September 3, 2022 (weeks 33-22 to 35-22). These are the weeks at issue. The Department did not pay benefits for these weeks.

(4) On September 16, 2022, claimant completed the identity verification through the ID.me website.

**CONCLUSIONS AND REASONS:** Claimant failed to provide information in accordance with the Department's rules and therefore was not eligible for unemployment insurance benefits for weeks 33-22 to 35-22.

Under ORS 657.155(1)(b), in order to be eligible to receive benefits with respect to any week, an individual must make "a claim for benefits with respect to such week in accordance with ORS 657.260." ORS 657.260(1) provides that claims for benefits shall be filed in accordance with such regulations as the Department may prescribe. OAR 471-030-0025 (January 11, 2018) states:

- (1) With all claims, an individual shall furnish the Director with their social security number and other information required for processing their claim. \* \* \*
- (2) The claimant is required to furnish such information required for processing their claim within the time frame provided by the Director or an authorized representative of the Employment Department.

\* \* \*

To be eligible to receive benefits for the weeks at issue claimant needed to file in accordance with the regulations prescribed by the Department. These regulations included a requirement that claimant complete identity verification through the ID.me website. The deadline to complete this requirement was September 6, 2022. The Department's website notified claimant of this requirement. He also received a letter from the Department that informed him of the requirement as well as the September 6, 2022 deadline. Claimant did not complete this verification requirement until September 16, 2022. Therefore, claimant did not file for benefits in accordance with the regulations of the Department and is ineligible to receive benefits for the weeks including August 14, 2022 through September 3, 2022 (weeks 33-22 to 35-22).

**DECISION:** Order No. 22-UI-207653 is affirmed. *La Orden de la Audiencia 22-UI-207653 queda confirmada.*

D. Hettle and A. Steger-Bentz;  
S. Serres, not participating.

**DATE of Service: February 2, 2023**

**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](https://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. Vea 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](https://courts.oregon.gov). En este sitio web, hay información disponible en español.*

**Por favor, ayúdenos mejorar nuestros servicios completando un formulario de encuesta sobre nuestro servicio de atención al cliente.** Para llenar este formulario, puede visitar <https://www.surveygizmo.com/s3/5552642/EAB-Customer-Service-Survey>. Puede acceder a la encuesta usando una computadora, tableta, o teléfono inteligente. Si no puede llenar el formulario sobre el internet, puede comunicarse con nuestra oficina para una copia impresa de la encuesta.



# 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 desisyon.

## 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 ໄດ້ໂດຍປະຕິບັດຕາມຄຳແນະນຳທີ່ບອກໄວ້ຢູ່ຕອນທ້າຍຂອງຄຳຕັດສິນນີ້.

**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.

**Employment Appeals Board - 875 Union Street NE | Salem, OR 97311**  
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