

**EMPLOYMENT APPEALS BOARD DECISION**  
**2024-EAB-0382**

*Late Applications for Review Allowed*  
*Order No. 23-UI-241738 – Reversed & Remanded*  
*Order No. 23-UI-241596 – Reversed & Remanded*

**PROCEDURAL HISTORY:** On October 13, 2021, the Oregon Employment Department (the Department) served a Notice of Determination for Pandemic Unemployment Assistance (PUA) concluding that claimant was not entitled to PUA benefits starting December 27, 2020. On November 2, 2021, the October 13, 2021 PUA determination became final without claimant having filed a request for hearing. On September 7, 2022, the Department served notice of an administrative decision, based in part on the October 13, 2021 PUA determination, concluding that claimant received benefits to which they were not entitled and assessing an overpayment of \$5,535 in PUA benefits and \$8,100 in Federal Pandemic Unemployment Compensation (FPUC) benefits that claimant was required to repay to the Department (decision # 114027). On September 27, 2022, decision # 114027 became final without claimant having filed a request for hearing. On August 17, 2023, claimant filed late requests for hearing on the October 13, 2021 PUA determination and on decision # 114027.<sup>1</sup>

ALJ Kangas considered claimant's requests. On November 20, 2023, ALJ Kangas issued Order No. 23-UI-241596, dismissing claimant's request for hearing on decision # 114027 as late, subject to claimant's right to renew the request by responding to an appellant questionnaire by December 4, 2023. On November 21, 2023, ALJ Kangas issued Order No. 23-UI-241738, dismissing claimant's request for hearing on the October 13, 2021 PUA determination as late, subject to claimant's right to renew the request by responding to an appellant questionnaire by December 5, 2023.

<sup>1</sup> Based on the narrative included in claimant's request for hearing referral, it appears that claimant also wished to request a hearing on an administrative decision denying claimant's request for a waiver of their overpayment. See Order No. 23-UI-241738 Exhibit 2 at 2 ("Upon speaking with Debbie during a recent call, I was informed that my waiver request had been denied. Debbie kindly suggested that I file an appeal and proceed with a hearing . . . I am hopeful that, through this process, a comprehensive review of my circumstances will take place, leading to a just resolution regarding the overpayment issue."). On March 27, 2024, claimant faxed to the Office of Administrative Hearings (OAH) an undated email exchange with a Department representative in which it appears the representative acknowledged that the Department issued an administrative decision denying claimant's waiver request on April 12, 2023, and in which claimant appears to have again requested a hearing on that decision.

On December 2, 2023, claimant provided a timely response to the appellant questionnaire by mailing a packet to the Office of Administrative Hearings (OAH) that included a cover letter with information substantially equivalent to a response to the appellant questionnaire. However, OAH either did not receive claimant's packet in the mail or received it but failed to process it. On December 11, 2023, Orders No. 23-UI-241738 and 23-UI-241596 became final without claimant having filed applications for review with the Employment Appeals Board (EAB).

On April 2, 2024, claimant provided their December 2, 2023 packet that included a letter with information substantially equivalent to a response to the appellant questionnaire to OAH again, via fax. Because it was unaware of the December 2, 2023 mailing, the Office of Administrative Hearings (OAH) considered claimant's questionnaire response to have been filed on the date it was faxed, April 2, 2024. On April 16, 2024, ALJ Scott mailed letters stating that, because claimant's questionnaire response was filed on April 2, 2024, it was filed late, and OAH would not consider claimant's questionnaire response or issue additional orders regarding the matters.

On April 21, 2024, claimant faxed a packet of documents to OAH consisting of a cover letter, a copy of one of ALJ Scott's April 2, 2024 letters, and a copy of the appellant questionnaire response. Because the cover letter expressed an intent to appeal Orders No. 23-UI-241738 and 23-UI-241596, it constituted late applications for review of those orders. This matter comes before EAB based upon claimant's April 21, 2024, late applications for review of Orders No. 23-UI-241738 and 23-UI-241596.

Pursuant to OAR 471-041-0095 (October 29, 2006), EAB consolidated its review of Orders No. 23-UI-241738 and 23-UI-241596. For case-tracking purposes, this decision is being issued in duplicate (EAB Decisions 2024-EAB-0381 and 2024-EAB-0382).

**EVIDENTIARY MATTER:** EAB has considered two pieces of additional evidence when reaching this decision under OAR 471-041-0090(1) (May 13, 2019). The additional evidence consists of claimant's letter with information substantially equivalent to a response to the appellant questionnaire, which is marked as EAB Exhibit 1; and claimant's April 21, 2024 submission to OAH that constituted claimant's late applications for review, marked as EAB Exhibit 2. Copies of these exhibits have been provided to the parties with this decision. Any party that objects to our admitting EAB Exhibits 1 or 2 must submit such objection to this office in writing, setting forth the basis of the objection in writing, within ten days of our mailing this decision. OAR 471-041-0090(2). Unless such objection is received and sustained, the exhibits will remain in the record.

**WRITTEN ARGUMENT:** EAB considered claimant's written in reaching this decision.

**FINDINGS OF FACT:** (1) On October 13, 2021, the Department mailed the October 13, 2021 PUA determination to claimant's address on file with the Department. The PUA determination concluded that claimant was not entitled to receive PUA benefits starting December 27, 2020 because claimant had failed to substantiate their employment or self-employment within the required timeframe.

(2) The October 13, 2021 PUA determination stated, "You have the right to appeal this decision if you do not believe it is correct. Your request for appeal must be received by November 2, 2021." Order No. 23-UI-241738, Exhibit 1 at 2. The October 13, 2021, PUA determination also stated, "If you previously received benefits you are not entitled to or if you were entitled to a lower amount, you may have an

overpayment, which you must pay back. Any decision regarding an overpayment of benefits will be issued in a separate decision.” Order No. 23-UI-241738 Exhibit 1 at 2. The PUA determination did not state an approximate amount of the overpayment that might result from its denial of PUA benefits.

(3) On November 2, 2021, the October 13, 2021 PUA determination became final without claimant having filed a request for hearing. At some point in 2022, claimant “first received notice that [claimant] was no longer eligible for unemployment benefits” and at that time “did not push the issue.” EAB Exhibit 1 at 1.

(4) On September 7, 2022, the Department mailed decision # 114027 to claimant’s address on file with the Department. Decision # 114027 stated, “If you disagree with the amount of the overpayment, you have the right to appeal this decision. Any appeal from this decision must be filed on or before September 27, 2022 to be timely.” Order No. 23-UI-241596, Exhibit 1 at 2.

(5) At some point thereafter, claimant received a “notification . . . that [they] should not have been paid the [PUA] assistance and was required to repay the received benefits” and “promptly submitted a waiver” application seeking that the Department waive recovery of the overpayment. Order No. 23-UI-241596 Exhibit 2 at 2.

(6) On a date recent in time to August 17, 2023, claimant spoke to a Department representative who informed claimant “that [their] waiver request had been denied” and “suggested that [claimant] file an appeal and proceed with a hearing[.]” Order No. 23-UI-241596 Exhibit 2 at 2. On August 17, 2023, claimant filed late requests for hearing on the October 13, 2021 PUA determination and decision # 114027.

(7) On November 20, 2023, OAH mailed Order No. 23-UI-241596 to claimant’s address on file with OAH. The order dismissed claimant’s late request for hearing on decision # 114027, subject to claimant’s right to renew the request by responding to an appellant questionnaire by December 4, 2023. Order No. 23-UI-241596 at 2. The order also stated on its certificate of mailing that “Any party may appeal this Order by filing a Request for Review with the Employment Appeals Board no later than December 11, 2013.”

(8) On November 21, 2023, OAH mailed Order No. 23-UI-241738 to claimant’s address on file with OAH. The order dismissed claimant’s late request for hearing on the October 13, 2021 PUA determination subject to claimant’s right to renew the request by responding to an appellant questionnaire by December 5, 2023. Order No. 23-UI-241738 at 2. The order also stated on its certificate of mailing that “Any party may appeal this Order by filing a Request for Review with the Employment Appeals Board no later than December 11, 2013.”

(9) On December 2, 2023, claimant mailed to OAH a packet consisting primarily of tax documents presumably included to substantiate claimant’s self-employment. The packet also included a cover letter that offered information relevant to why claimant filed their hearing requests on the October 13, 2021 PUA determination and decision # 114027 late, and thus was the substantial equivalent of a response to the appellant questionnaire. *See* EAB Exhibit 1 at 1. OAH either did not receive claimant’s packet in the mail or received it but failed to process it.

(10) On April 2, 2024, claimant re-submitted to OAH by fax the December 2, 2023 packet that included the substantial equivalent of a response to the appellant questionnaire. OAH received the fax.

(11) Because it was unaware of the December 2, 2023 mailing OAH considered claimant's questionnaire response to have been filed on the date it was faxed, April 2, 2024. On April 16, 2024, ALJ Scott mailed letters stating that, because claimant's questionnaire response was filed on April 2, 2024, it was filed late, and OAH would not consider claimant's questionnaire response or issue additional orders regarding the October 13, 2021 PUA determination and decision # 114027.

(12) On April 21, 2024, claimant sent a fax to OAH, which included one of ALJ Scott's letters and the cover letter that OAH considered to be a response to the appellant questionnaire, along with a written statement explaining that claimant had originally mailed the appellant questionnaire response on December 2, 2023. EAB Exhibit 2 at 1-3. In the written statement, claimant stated, "Please proceed with allowing a judge to review my documents and waive my overpayment." EAB Exhibit 2 at 2.

**CONCLUSIONS AND REASONS:** Claimant's late applications for review of Orders No. 23-UI-241738 and 23-UI-241596 are allowed. Order No. 23-UI-241738 is reversed, and the matter remanded for a hearing on whether claimant's late request for hearing on the October 13, 2021 PUA determination should be allowed, and, if so, the merits of that decision. Order No. 23-UI-241596 is reversed, and the matter remanded for a hearing on whether claimant's late request for hearing on decision # 114027 should be allowed, and, if so, the merits of that decision.

**Late Applications for Review.** Under OAR 471-041-0060(1) (May 13, 2019), "An application for review may be filed on forms provided by OAH or the Employment Department and other similar offices in other states. Use of the form is not required, provided the applicant requests review of a specific ALJ Order, or otherwise expresses intent to appeal an ALJ Order." Furthermore, "An application for review may be filed in person, or by mail, fax, or electronic means to EAB, or any office of the Employment Department, including OAH[.]" OAR 471-041-0060(2).

An application for review is timely if it is filed within 20 days of the date that the Office of Administrative Hearings (OAH) mailed the order for which review is sought. ORS 657.270(6); OAR 471-041-0070(1) (May 13, 2019). The 20-day filing period may be extended a "reasonable time" upon a showing of "good cause." ORS 657.875; OAR 471-041-0070(2). "Good cause" means that factors or circumstances beyond the applicant's reasonable control prevented timely filing. OAR 471-041-0070(2)(a). A "reasonable time" is seven days after the circumstances that prevented the timely filing ceased to exist. OAR 471-041-0070(2)(b). A late application for review will be dismissed unless it includes a written statement describing the circumstances that prevented a timely filing. OAR 471-041-0070(3).

Claimant's April 21, 2024 fax submission to OAH constituted applications for review of Orders No. 23-UI-241738 and 23-UI-241596. The submission was filed by fax to OAH, which is an acceptable filing method per OAR 471-041-0060(2). Further, the fax submission expressed an intent to appeal Orders No. 23-UI-241738 and 23-UI-241596 because, in the written statement included in the submission, claimant stated, "Please proceed with allowing a judge to review my documents and waive my overpayment." EAB Exhibit 2 at 2. Claimant's mention of review by "a judge" and reference to their overpayment are sufficiently related to the underlying issues in Orders No. 23-UI-241738 and 23-UI-241596, which

concern claimant's PUA eligibility and overpayment, to conclude that claimant's statement expressed a desire to appeal those orders.

Having concluded that the April 21, 2024 fax submission constituted applications for review of Orders No. 23-UI-241738 and 23-UI-241596, the next issue to address is the timeliness of the applications for review. The applications for review of the orders were each due by December 11, 2023. Because claimant did not file their applications for review until April 21, 2024, the applications for review were late.

Claimant established good cause to extend the deadline to file the applications for review of Orders No. 23-UI-241738 and 23-UI-241596. The record shows that the orders called for claimant to renew their hearing requests by providing a response to the appellant questionnaire by December 5 and December 4, 2023, respectively. Claimant did so on December 2, 2023, when they mailed their packet to OAH that included a cover letter that was the substantial equivalent of a response to the appellant questionnaire. EAB Exhibit 2 at 2. At that point, claimant met the deadlines to renew their hearing requests set forth in both orders. It can be inferred that claimant reasonably expected OAH to evaluate their response and then provide further communication regarding whether, based on the questionnaire response, claimant's late requests for hearing would be allowed. Only following that further communication from OAH would claimant have reasonably believed it to be warranted to file applications for review with EAB. For these reasons, a factor beyond claimant's reasonable control, claimant's reasonable mistaken belief that OAH would evaluate their response mailed December 2, 2023, and then provide further communication, prevented claimant from timely filing the applications for review by the December 11, 2023 deadline.

OAH either did not receive claimant's December 2, 2023 packet in the mail or received it but did not process it. Therefore, claimant's appellant questionnaire response went unheeded by OAH until April 2, 2024, when claimant re-submitted it by fax. This prompted ALJ Scott to mail letters on April 16, 2024 stating that claimant's April 2, 2024 fax was considered a late questionnaire response and that OAH would not consider the questionnaire response or issue additional orders regarding these matters. Upon receipt of these letters claimant's reasonable mistaken belief that it was unwarranted to appeal Orders No. 23-UI-241738 and 23-UI-241596 absent further communication from OAH ended. Claimant then filed their applications for review on April 21, 2024, which was within the seven-day "reasonable time" of claimant receiving the April 16, 2024 letters. Accordingly, claimant showed good cause to extend the deadline to appeal Orders No. 23-UI-241738 and 23-UI-241596 and did so within a reasonable time. For these reasons, claimant's late applications for review of Orders No. 23-UI-241738 and 23-UI-241596 are allowed.

**Order No. 23-UI-241738 – Late Request for Hearing on the October 13, 2021 PUA determination.** ORS 657.269 provides that the Department's decisions become final unless a party files a request for hearing within 20 days after the date the decision is mailed. ORS 657.875 provides that the 20-day deadline may be extended a "reasonable time" upon a showing of "good cause." OAR 471-040-0010 (February 10, 2012) provides that "good cause" includes factors beyond an applicant's reasonable control or an excusable mistake, and defines "reasonable time" as seven days after those factors ceased to exist.

The 20-day deadline for claimant to file a timely request for hearing on the October 13, 2021 PUA determination was November 2, 2021. Claimant did not file a request for hearing on the determination until August 17, 2023. Accordingly, claimant's request for hearing on the October 13, 2021 PUA determination was late.

The record shows that Order No. 23-UI-241738 called for claimant to provide their appellant questionnaire response by December 5, 2023 to renew their request for hearing and cause OAH to consider the additional information and determine whether it was sufficient to allow claimant's late appeal. Claimant met this deadline by mailing a packet to OAH on December 2, 2023 that included a cover letter with information substantially equivalent to a response to the appellant questionnaire. OAH either did not receive claimant's packet in the mail or received it but did not process it. As a result, OAH did not consider the additional information and did not issue an order regarding whether claimant's late request for hearing should be allowed. Remand is therefore required to assess whether claimant's late request for hearing on the October 13, 2021 PUA determination should be allowed, and if so, to evaluate the merits of the determination.

In their appellant questionnaire response, claimant stated, "I had first received notice that I was no longer eligible for unemployment benefits in 2022." EAB Exhibit 1 at 1. This suggests that claimant did not receive the October 13, 2021 PUA determination, if at all, until some point in 2022. It could also mean that claimant never received the October 13, 2021 PUA determination, but merely became aware of the determination's effect of deeming claimant ineligible for PUA benefits at some point in 2022. Claimant explained that when they received notice in 2022 that they were not eligible for benefits, they "did not push the issue." EAB Exhibit 1 at 1. Claimant stated in their questionnaire response that later in 2022, they became aware of the overpayment created by decision # 114027 and filed an application for a waiver of recovery of the overpayment. EAB Exhibit 1 at 1. It was only after they spoke with a Department representative recent in time to August 17, 2023, and learned that the waiver request had been denied, that they requested the hearing on the October 13, 2021, PUA determination. Order No. 23-UI-241738 Exhibit 2 at 2.

Here, the language of the October 13, 2021 PUA determination was insufficient to satisfy the requirements of due process under the 14th Amendment to the United States Constitution. *See* U.S. Const. amend. XIV, § 1 ("[N]or shall any State deprive any person of life, liberty, or property, without due process of law[.]"). This is so because the October 13, 2021 PUA determination failed to provide adequate notice of the potential overpayment amount claimant would face if the October 13, 2021 PUA determination became final, which was information needed for claimant to make a fully informed decision as to whether to appeal.

The October 13, 2021 PUA determination stated, on its first page, "You are not entitled to PUA benefits starting December 27, 2020 because you failed to provide acceptable proof of your employment or self-employment within the required period." Order No. 23-UI-241738, Exhibit 1 at 1. It also stated, "You will receive a separate notification with information on benefits you must repay if you were paid benefits for any weeks after December 27, 2020." Order No. 23-UI-241738, Exhibit 1 at 1. The determination then stated that claimant had until November 2, 2021 to provide acceptable proof of employment or self-employment, and that "You will not have to pay back your benefits if your documentation meets the requirements." Order No. 23-UI-241738, Exhibit 1 at 1 (emphasis in original removed). The next page of the October 13, 2021, PUA determination stated merely, "If you previously

received benefits you are not entitled to or if you were entitled to a lower amount, you may have an overpayment, which you must pay back. Any decision regarding an overpayment of benefits will be issued in a separate decision.” Order No. 23-UI-241738, Exhibit 1 at 2. The determination did not provide an approximate amount of the overpayment claimant would have to repay.

In order for claimant to have meaningfully understood the October 13, 2021, PUA determination, due process required the Department to include in the determination an approximate amount of the overpayment the Department would seek to recover. Because the Department did not notify claimant of the amount of the overpayment, or approximation thereof, that might result from the October 13, 2021 PUA determination’s denial of PUA benefits, claimant was unable to make an informed decision as to “whether to spend the time and resources challenging the decision.” *Casillas v. Gerstenfeld*, No. 22CV18836 (Mult. Co. Cir. Ct. Apr. 5, 2024) Letter Opinion on Cross Motions for Summary Judgment at 11. This was the conclusion reached by the Court in *Casillas* in its alternative legal conclusion determining that the Department’s system of separating eligibility decisions from overpayment decisions would be unconstitutional if it was still in place as to the plaintiffs in that case. *Casillas* Letter Opinion at 10-11; *See also generally Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306 (1950). As the Court in *Casillas* pointed out, “The higher the amount at issue, the more incentive there is to challenge the decision. Conversely, if the amount at issue is small, the less incentive there is for a person to challenge the decision because a person may reasonably not wish to spend the time and effort on the matter, even if they had a meritorious position.” *Casillas* Letter Opinion at 11.

The failure of the October 13, 2020, PUA determination to provide claimant with due process may have constituted a factor beyond claimant’s reasonable control that prevented claimant from filing by the November 2, 2021, deadline. On remand, the ALJ should ask questions to determine whether an excusable mistake or factor beyond claimant’s reasonable control prevented them from timely filing and if claimant’s August 17, 2023, filing date occurred within a seven-day reasonable time of when such factors, if any, ceased to exist. To this end, the ALJ should develop the record regarding whether the PUA determination’s constitutional deficiency was a factor beyond claimant’s control that prevented a timely filing, when in 2022 claimant learned of the overpayment, whether the lack of notice was cured when claimant learned of the overpayment decision, and whether an excusable mistake or factors beyond claimant’s reasonable control prevented them from appealing the October 13, 2020 PUA determination between that point in time and when they filed.

Note on remand that if claimant’s late request for hearing on the October 13, 2021, PUA determination is granted, claimant’s eligibility to receive PUA benefits will be at issue. This will require the ALJ to ask questions to develop the record as to whether claimant was ineligible for regular unemployment insurance (regular UI), extended benefits, or pandemic emergency unemployment compensation (PEUC) during the weeks at issue. The ALJ should next develop the record to assess whether claimant can substantiate self-employment during the relevant period. This may be accomplished by the provision of documents that include, but are not limited to, “state or Federal employer identification numbers, business licenses, tax returns, business receipts, and signed affidavits from persons verifying the individual’s self-employment.” U.S. Dep’t of Labor, Unemployment Insurance Program Letter No. 16-20, Change 4, January 8, 2021 (UIPL 16-20 Change 4) at I-10. Such documentation must demonstrate proof of self-employment between the start of the applicable taxable year and the date claimant filed their initial PUA application. *See* UIPL 16-20 Change 4 at I-11 (“For example, an individual filing a claim effective December 27, 2020, must submit documentation that substantiates employment or self-

employment which occurred between January 1, 2019 (the start of the applicable tax year) and December 27, 2020.”)<sup>2</sup> To the extent that claimant establishes on remand that they were a self-employed individual, the ALJ should ask questions to assess whether and how claimant’s self-employment activities, which claimant described as “an e-commerce business,” experienced a significant diminution of services because of the COVID-19 public health emergency. EAB Exhibit 1 at 1. The ALJ should also inquire whether the nature of the e-commerce business allowed claimant to telework with pay.

**Order No. 23-UI-241596 – Late Request for Hearing on Decision # 114027.** ORS 657.269 provides that the Department’s decisions become final unless a party files a request for hearing within 20 days after the date the decision is mailed. ORS 657.875 provides that the 20-day deadline may be extended a “reasonable time” upon a showing of “good cause.” OAR 471-040-0010 provides that “good cause” includes factors beyond an applicant’s reasonable control or an excusable mistake, and defines “reasonable time” as seven days after those factors ceased to exist.

The 20-day deadline for claimant to file a timely request for hearing on decision # 114027 was September 27, 2022. Claimant did not file a request for hearing on decision # 114027 until August 17, 2023. Accordingly, claimant’s request for hearing on decision # 114027 was late.

The record shows that Order No. 23-UI-241596 called for claimant to provide their appellant questionnaire response by December 4, 2023 to renew their request for hearing and cause OAH to consider the additional information and determine whether it was sufficient to allow claimant’s late appeal. Claimant met this deadline by mailing a packet to OAH on December 2, 2023 that included a cover letter with information substantially equivalent to a response to the appellant questionnaire. OAH either did not receive claimant’s packet in the mail or received it but did not process it. As a result, OAH did not consider the additional information and did not issue an order regarding whether claimant’s late request for hearing should be allowed. Remand is therefore required to assess whether claimant’s late request for hearing on decision # 114027 should be allowed, and if so, to evaluate the merits of decision # 114027.

On remand, the ALJ should ask questions to determine whether an excusable mistake or factor beyond claimant’s reasonable control prevented them from timely filing and if claimant’s August 17, 2023 filing date occurred within a seven-day reasonable time of when such factors, if any, ceased to exist. The ALJ should inquire when claimant learned of the existence of decision # 114027 and their right to appeal the decision. To this end, the ALJ should inquire whether any changes of residence claimant may have made resulted in the administrative decision being sent to a wrong address or otherwise interfered with claimant promptly receiving decision # 114027. The ALJ should inquire when precisely claimant filed the waiver request, including details of any conversations between claimant and Department representatives about the waiver request, and why claimant did not appeal decision # 114027 at the same

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<sup>2</sup> Note that in the December 2, 2023, packet claimant mailed to OAH that included the letter treated as a response to the appellant questionnaire, claimant also included a number of tax documents presumably included in an effort to substantiate claimant’s self-employment. Per UIPL 16-20 Change 4 at I-11, if claimant’s PUA claim was effective December 27, 2020, as appears to be the case since the first week at issue shown on decision # 114027 is the week beginning December 27, 2020, then tax documents from 2021 would not be sufficient to satisfy the substantiation requirement. Order No. 23-UI-241596 Exhibit 1 at 4.



time that they requested a waiver. If the record on remand shows that claimant's late request for hearing should be allowed, the ALJ should ask questions to assess the merits of decision # 114027.

In summary, the late applications for review of Orders No. 23-UI-241738 and 23-UI-241596 are allowed. Order No. 23-UI-241738 is reversed, and the matter remanded for a hearing on whether claimant's late request for hearing on the October 13, 2021 PUA determination should be allowed, and, if so, the merits of that decision. Order No. 24-UI-241596 is reversed, and the matter remanded for a hearing on whether claimant's late request for hearing on decision # 114027 should be allowed, and if so, the merits of that decision.

**DECISION:** Orders No. 23-UI-241738 and 23-UI-241596 are set aside, and these matters remanded for further proceedings consistent with this order.

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

**DATE of Service: June 3, 2024**

**NOTE:** The failure of any party to appear at the hearing on remand will not reinstate Orders No. 23-UI-241738 or 23-UI-241596 or return either of these matters to EAB. Only a timely application for review of the applicable subsequent order will cause either of these matters to return to EAB.

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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 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 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.

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