

EMPLOYMENT APPEALS BOARD DECISION
2024-EAB-0825

Affirmed
Ineligible Weeks 42-24 through 46-24

PROCEDURAL HISTORY: On October 22, 2024, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant had failed to register for work following the Department's rules and therefore was ineligible to receive unemployment insurance benefits effective October 13, 2024 (week 42-24) and until the reason for the denial had ended (decision # L0006760296). Claimant filed a timely request for hearing.¹ On November 18, 2024, ALJ Lucas conducted a hearing at which the Department failed to appear, and on November 20, 2024 issued Order No. 24-UI-274043, modifying decision # L0006760296 by concluding that claimant had failed to register for work in accordance with the Department's rules and therefore was ineligible for benefits for the weeks of October 13, 2024 through November 16, 2024 (weeks 42-24 through 46-24).² On December 3, 2024, claimant filed an application for review with the Employment Appeals Board (EAB).

FINDINGS OF FACT: (1) On October 6, 2024, claimant filed an initial claim for unemployment insurance benefits. Claimant subsequently claimed benefits for the weeks of October 13, 2024, through November 16, 2024 (weeks 42-24 through 46-24). These are the weeks at issue. The Department did not pay claimant benefits for the weeks at issue.

(2) On October 4, 2024, the Department mailed claimant a letter entitled "Reemployment Services and Eligibility Assessment." Exhibit 2 at 1. The letter included a list of tasks that claimant was required to complete to be eligible for benefits. In relevant part, the list included the following requirements:

¹ Department records indicate that the Department also issued an administrative decision on October 21, 2024, which denied claimant benefits effective October 13, 2024 on the basis that she had failed to verify her identity following the Department's rules (decision # L0006707592). It does not appear that claimant has since completed that requirement. Claimant should be aware that the denial of benefits on that basis may continue until she completes that requirement. Additionally, it does not appear that claimant's request for hearing on decision # L0006760296 was also treated as a request for hearing on decision # L0006707592. As such, if claimant wishes to challenge the determination in decision # L0006707592, she should contact the Department to file a request for hearing on that decision.

² Although Order No. 24-UI-274043 stated it affirmed decision # L0006760296, it modified that decision by changing the dates of ineligibility to include weeks 43-24 through 46-24. Order No. 24-UI-274043 at 5.

- Complete your iMatchSkills registration at imatchskills.org.
- Meet one-on-one with a WorkSource Oregon Employment Specialist for your orientation. Call or visit a WorkSource Oregon center using the information below, or go to worksourceoregon.org/contact to schedule an appointment.

Exhibit 2 at 1. The letter also stated, “You must complete your identity verification, registration, and orientation no later than October 17, 2024. Your benefits will be denied if you don’t complete the above steps by this due date.” Exhibit 2 at 2. At some point prior to October 17, 2024, claimant received the October 4, 2024, letter via her Frances Online account.

(3) On October 9, 2024, claimant’s daughter was severely injured in a motor vehicle accident, causing claimant significant emotional distress and requiring her to care for her daughter while she recovered. Around the same time, claimant’s son was in the process of enlisting in the army, and required claimant’s help with the process. The combination of these circumstances consumed most of claimant’s focus at the time. As a result, claimant did not read the October 4, 2024, letter, register with iMatchSkills, or complete her orientation at WorkSource Oregon by the October 17, 2024 deadline.

(4) As of November 18, 2024, claimant had not yet completed the above requirements listed in the October 4, 2024, letter.

CONCLUSIONS AND REASONS: Claimant failed to register for work in accordance with the Department’s rules and therefore is ineligible for benefits for the weeks at issue.

ORS 657.155(1)(a) states that an unemployed individual is eligible to receive benefits only if the individual has registered for work and thereafter continued to report at an employment office in accordance with Department rules. ORS 657.159(1) states that to satisfy the registration requirement of ORS 657.155(1) an individual shall submit such information regarding the individual’s job qualifications, training and experience as the Department requests.

OAR 471-020-0020 (August 8, 2004) states in relevant part:

(1)(a) Except for individuals identified in OAR 471-020-0021, all unemployment insurance claimants shall submit such information as may be required by the Oregon Employment Department to carry out job placement services for the individual including, but not limited to, the individual's job qualifications, training and experience. Such information shall be entered into the Business & Employment Services online job match system concurrent with, or as soon as possible following, the filing of an initial claim for unemployment insurance benefits. Entry of this information shall constitute enrollment.

* * *

OAR 471-030-0035 (January 11, 2018) states in relevant part:

(1) A claimant may fulfill the “registered for work” requirements of ORS 657.155(1)(a) by completion of such processes as directed by the Director in order to create a full registration for work.

(2) “Full registration for work” as used in this rule, means providing information regarding the individual's job qualifications, skills, training and experience as the Director or an authorized representative of the Director deems necessary to carry out job placement services for the individual.

* * *

The Department denied claimant benefits for the weeks at issue because she did not complete her iMatchSkills registration or the orientation process prior to the stated deadline of October 17, 2024. The record shows that claimant received notice of these requirements prior to the deadline, but did not complete them because of personal difficulties she was facing at the time which took priority over these requirements. While the reasons claimant did not complete the requirements before October 17, 2024, are understandable, the applicable rules do not contain any “good cause” exceptions, such as for emergencies in one’s personal life. Therefore, because claimant did not register for work in accordance with the Department’s rules, she was not eligible for benefits for the weeks at issue.

DECISION: Order No. 24-UI-274043 is affirmed.

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

DATE of Service: December 30, 2024

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 stated above.** See ORS 657.282. For forms and information, visit <https://www.courts.oregon.gov/courts/appellate/forms/Pages/appeal.aspx> and choose the appropriate form under “File a Petition for Judicial Review.” You may also contact the Court of Appeals by telephone at (503) 986-5555, by fax at (503) 986-5560, or by mail at 1163 State Street, Salem, Oregon 97301.

Please help us improve our service by completing an online customer service survey. To complete the survey, please go to <https://www.surveygizmo.com/s3/5552642/EAB-Customer-Service-Survey>. If you are unable to complete the survey online and wish to have a paper copy of the survey, please contact our office.



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، وإذا كنت لا توافق على هذا القرار، يمكنك رفع شكوى للمراجعة القانونية بمحكمة الاستئناف بأوريغون وذلك باتباع 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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El Departamento de Empleo de Oregon es un programa que respeta la igualdad de oportunidades. Disponemos de servicios o ayudas auxiliares, formatos alternos y asistencia de idiomas para personas con discapacidades o conocimiento limitado del inglés, a pedido y sin costo.