

**EMPLOYMENT APPEALS BOARD DECISION**  
**2025-EAB-0267**

*Application for Review Dismissed*  
*No Justiciable Controversy*

**PROCEDURAL HISTORY:** On August 6, 2024, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant failed to provide identity verification information in accordance with the Department's rules, making claimant ineligible for benefits beginning August 4, 2024, and until the reason for the denial ended (decision # L0005532358).<sup>1</sup> Claimant filed a timely request for hearing. On March 19, 2025, ALJ Goodrich convened a hearing, granted the Department's motion to postpone, and postponed the matter until April 2, 2025. On April 2 and 16, 2025, ALJ Goodrich conducted a hearing. Claimant failed to appear at the April 16, 2025, session of the hearing. On April 23, 2025, ALJ Goodrich issued Order No. 25-UI-290398, affirming decision # L0005532358. On May 5, 2025, claimant filed an application for review with the Employment Appeals Board (EAB).

**FINDINGS OF FACT:** (1) On August 6, 2024, the Department issued decision # L0005532358. The administrative decision concluded that claimant failed to provide identity verification information in accordance with the Department's rules, making claimant ineligible for benefits beginning August 4, 2024, and until the reason for the denial ended.

(2) On April 23, 2025, ALJ Goodrich issued Order No. 25-UI-290398, affirming decision # L0005532358. On May 5, 2025, claimant filed an application for review of Order No. 25-UI-290398 with EAB.

(3) On June 6, 2025, the Department vacated decision # L0005532358 and deemed claimant eligible for benefits on the identity verification issue.<sup>2</sup>

<sup>1</sup> Decision # L0005532358 stated that claimant was denied benefits beginning August 5, 2024. However, because benefit weeks begin on Sundays, decision # L0005532358 should have stated that claimant was disqualified from receiving benefits beginning Sunday, August 4, 2024.

<sup>2</sup> EAB has taken notice of this fact, which is contained in Employment Department records. OAR 471-041-0090(1) (May 13, 2019). Any party that objects to EAB taking notice of this information must send their objection to EAB in writing, stating

(4) Claimant claimed the weeks of July 14, 2024, through May 10, 2025 (weeks 29-24 through 19-25). The Department did not pay claimant for those weeks. Claimant was denied benefits for those weeks because of a work separation administrative decision (decision # L0010503027). Claimant filed a request for hearing on decision # L0010503027. As of the date of this decision, that matter is pending before the Office of Administrative Hearings (OAH). Claimant was also denied benefits beginning May 4, 2025 (week 19-25) because of another administrative decision, which concluded that claimant had failed to register for work in accordance with the Department's rules (decision # L0010703627).<sup>3</sup>

**CONCLUSIONS AND REASONS:** Claimant's application for review of Order No. 25-UI-290398 presents no justiciable controversy and is dismissed.

On May 5, 2025, claimant filed an application for review of Order No. 25-UI-290398. That order had affirmed decision # L0005532358 by concluding that claimant failed to provide identity verification information in accordance with the Department's rules and was ineligible for benefits beginning August 4, 2024, until the reason for the denial ended. However, on June 6, 2025, the Department vacated decision # L0005532358 and deemed claimant eligible to receive benefits on the identity verification issue.

Accordingly, there is no justiciable controversy before EAB based upon claimant's application for review of Order No. 25-UI-290398. Oregon courts follow the principle that a review on appeal may only be provided for justiciable controversies. *See, e.g., Gortmaker v. Seaton*, 252 Or. 440, 442, 450 P.2d 547 (1969). A justiciable controversy exists when the interests of the parties to the action conflict with each other, and the appeal will have some practical effect on the rights of the parties to the controversy. *Barcik v. Kubiacyk*, 321 Or 174, 895 P2d 765 (1995). To show a practical effect on their rights, an appellant must seek "substantive relief" through their appeal. *Krisor v. Henry*, 256 Or. App. 56, 300 P.3d 199 (Or. Ct. App. 2013).

Because the Department vacated decision # L0005532358 and deemed claimant eligible for benefits on the identity verification issue, EAB's review of this matter could not provide substantive relief to claimant, and such review would have no practical effect on claimant's rights. There is therefore no justiciable controversy before EAB based upon claimant's application for review. Because the case before EAB presents no justiciable controversy, the application for review of Order No. 25-UI-290398 is dismissed.<sup>4</sup>

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why they object, within ten days of EAB mailing this decision. OAR 471-041-0090(2). Unless EAB receives and agrees with the objection, the noticed fact will remain in the record.

<sup>3</sup> EAB has taken notice of the facts contained in this paragraph, which are contained in Employment Department records, OAR 471-041-0090(1). Any party that objects to EAB taking notice of this information must send their objection to EAB in writing, stating why they object, within ten days of EAB mailing this decision. OAR 471-041-0090(2). Unless EAB receives and agrees with the objection, the noticed facts will remain in the record.

<sup>4</sup> Note that the Department also issued a work separation administrative decision, decision # L0010503027, and a failure to register for work administrative decision, decision # L0010703627, both of which are adverse to claimant. Claimant filed a request for hearing on decision # L0010503027, and that matter is currently pending before OAH. Claimant may also wish to file a request for hearing on decision # L0010703627. If any of claimant's work registration requirements remain incomplete, he may wish to visit a WorkSource office for information on how to complete those requirements.

**DECISION:** The application for review filed May 5, 2025 is dismissed. Order No. 25-UI-290398 remains undisturbed.

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

**DATE of Service: June 9, 2025**

**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.

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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 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 الاستئناف 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 دستورالعمل موجود در پایان آن، از دادگاه تجدید نظر اورگان درخواست تجدید نظر کنید.

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

Phone: (503) 378-2077 | 1-800-734-6949 | Fax: (503) 378-2129 | TDD: 711

Email: [appealsboard@employ.oregon.gov](mailto:appealsboard@employ.oregon.gov)

Website: [www.Oregon.gov/employ/pages/employment-appeals-board.aspx](http://www.Oregon.gov/employ/pages/employment-appeals-board.aspx)

The Oregon Employment Department is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Language assistance is available to persons with limited English proficiency at no cost.

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.