

**EMPLOYMENT APPEALS BOARD DECISION**  
**2025-EAB-0539**

*Affirmed*  
*Ineligible Week 34-25*

**PROCEDURAL HISTORY:** On August 26, 2025, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant failed to provide information to verify his identity in accordance with the Department's rules, and was therefore ineligible to receive unemployment insurance benefits beginning August 17, 2025 (decision # L0012623908). Claimant filed a timely request for hearing. On September 11, 2025, ALJ Goodrich conducted a hearing. The Department provided a written statement called an attestation instead of having a witness attend the hearing. On September 11, 2025, ALJ Goodrich issued Order No. 25-UI-303557, affirming decision # L0012623908 by concluding that claimant was ineligible to receive benefits for the week of August 17, 2025 through August 23, 2025 (week 34-25).

**WRITTEN ARGUMENT:** Claimant's argument contained information that was not part of the hearing record and did not show that factors or circumstances beyond claimant's reasonable control prevented them from offering the information during the hearing. Under ORS 657.275(2) and OAR 471-041-0090 (May 13, 2019), EAB considered only information received into evidence at the hearing. EAB considered any parts of claimant's argument that were based on the hearing record.

**FINDINGS OF FACT:** (1) On August 7, 2025, claimant filed an initial claim for unemployment insurance benefits using Frances Online. At the time he filed his initial claim for benefits, claimant requested to receive correspondence from the Department electronically.

(2) On August 8, 2025, the Department sent claimant a letter by uploading it onto his Frances Online account. The letter advised that claimant was required to, among other things, meet with a WorkSource Oregon representative for an orientation where claimant would be required to verify his identity. The letter also warned that failure to complete the identity verification requirement by August 22, 2025 would result in denial of benefits.

(3) On August 11, 2025, claimant viewed the letter in his Frances Online account. Claimant took note of the identity verification requirement and the August 22, 2025 deadline for completion. However,

thereafter, claimant overlooked completing the requirement and did not verify his identity by August 22, 2025.

(4) On August 25, 2025, claimant went to his local WorkSource office and verified his identity.

(5) Claimant claimed benefits for the week of August 17, 2025 through August 23, 2025 (week 34-25). This is the week at issue. The Department did not pay claimant benefits for the week at issue.

**CONCLUSIONS AND REASONS:** Claimant failed to provide information to verify his identity in accordance with the Department's rules.

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 . . . 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. \* \* \*

Where the Department has paid benefits, it has the burden to prove benefits should not have been paid. *Nichols v. Employment Division*, 24 Or App 195, 544 P2d 1068 (1976). By logical extension of that principle, where the Department has not paid benefits, claimant has the burden to prove that the Department should have paid benefits.

The Department's letter uploaded to claimant's Frances Online account on August 8, 2025 required claimant to complete his identity verification by August 22, 2025. Claimant did not complete his identity verification by that deadline. Claimant therefore failed to furnish the information within the time frame provided by the Department, as required by ORS 657.260(1) and OAR 471-030-0025(2). As a result, claimant's claim for benefits for week 34-25 was not filed in accordance with ORS 657.260, and under ORS 657.155(1)(b), claimant is not eligible for benefits with respect to that week.

On August 25, 2025, after the August 22, 2025 deadline set forth in the letter had passed, claimant visited his local WorkSource office and verified his identity. At hearing, claimant acknowledged that he reviewed the letter advising of the identity verification requirement and deadline to comply. Audio Record at 21:36. However, claimant attributed his missing the deadline to the fact that the requirement was not listed in the "action center" of his Frances Online account and suggested that he should be allowed benefits for week 34-25 because he complied with the requirement on August 25, 2025, a few days after the deadline. Audio Record at 25:17.

It is correct that claimant missed the deadline by only a few days. However, there is no good cause exception to the requirement to provide information within the timeframe provided by the Department under such circumstances. It is undisputed that claimant was on notice of the requirement and failed to furnish the information within the time frame prescribed by the Department. Claimant therefore failed to satisfy ORS 657.155(1)(b) with respect to the week at issue and is not eligible to receive benefits for that week.

For these reasons, claimant failed to provide information in accordance with the Department's rules and therefore is ineligible for benefits for the week at issue, the week of August 17, 2025 through August 23, 2025 (week 24-25).

**DECISION:** Order No. 25-UI-303557 is affirmed.

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

**DATE of Service:** October 14, 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.

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