

**EMPLOYMENT APPEALS BOARD DECISION**  
**2025-EAB-0663**

*Reversed*  
*Eligible Weeks 28-25 through 33-25*

**PROCEDURAL HISTORY:** On July 15, 2025, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant failed to verify her identity in accordance with the Department's rules and was ineligible for benefits effective July 6, 2025 (decision # L0011820739). Claimant filed a timely request for hearing. On October 13, 2025, ALJ Frank conducted a hearing. The Department provided a written statement called an Attestation instead of having a witness attend the hearing. On October 21, 2025, ALJ Frank issued Order No. 25-UI-307840, modifying decision # L0011820739 by concluding that claimant had failed to verify her identity in accordance with the Department's rules and was ineligible for benefits from July 6 through August 16, 2025 (weeks 28-25 through 33-25). On November 4, 2025, claimant filed an application for review with the Employment Appeals Board (EAB).

**EVIDENTIARY MATTER:** EAB has considered additional evidence when reaching this decision under OAR 471-041-0090(1) (May 13, 2019). The additional evidence consists of a letter regarding claimant's identity verification requirements, dated June 24, 2025. EAB has taken notice of this evidence, which is contained in Employment Department records. OAR 471-041-0090(1) (May 13, 2019). A copy of this evidence has been marked as EAB Exhibit 1 and provided to the parties with this decision. 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 exhibit will remain in the record.

**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 her from offering the information during the hearing. Under ORS 657.275(2) and OAR 471-041-0090 (May 13, 2019), and with the exception of the information in EAB Exhibit 1, above, 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 June 20, 2025, claimant filed an initial claim for unemployment insurance benefits. Claimant later claimed benefits for the weeks of July 6 through August 16, 2025

(weeks 28-25 through 33-25). These are the weeks at issue. The Department did not pay claimant benefits for the weeks at issue.

(2) On June 23, 2025, the Department posted a letter dated June 24, 2025 to claimant's Frances Online account. The letter stated, in relevant part, that claimant was required to verify her identity "in person at a U.S. Postal Service (USPS) Post Office," and that she was required to "register in Frances Online" before she could verify her identity at a post office. EAB Exhibit 1 at 1. The letter also stated that she was required to verify her identity by July 7, 2025, or that benefits could be denied. EAB Exhibit 1 at 2. The letter did not describe any other means by which claimant could verify her identity.

(3) Claimant viewed the letter on the day it was posted to her account. On several occasions beginning in early July 2025, claimant attempted to register for verification via Frances Online per the terms of the letter. However, each time, claimant was prevented from doing so because the system indicated that she was required to enter a personal identification number (PIN). Claimant had not received any documents containing such a PIN.

(4) On July 15, 2025, claimant sent the Department a message via Frances Online, stating that she never received the PIN needed to verify her identity. On August 14, 2025, the Department responded to claimant's message and advised her that she could verify her identity at a WorkSource Oregon office. On August 20, 2025, claimant visited a WorkSource office and completed her in-person identity verification there.

**CONCLUSIONS AND REASONS:** Claimant was eligible for benefits for the weeks at issue.

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. \* \* \*

Decision # L0011820739 denied claimant benefits because she failed to verify her identity by the deadline stated in the June 23, 2025 letter. The order under review modified decision # L0011820739 to include additional weeks of benefits, but otherwise denied claimant benefits on the same basis, presumably because OAR 471-030-0025 contains no "good cause" provisions. Order No. 25-UI-307840 at 4. While the record shows that claimant did not verify her identity by the deadline indicated in the June 23, 2025 letter, it nevertheless supports the conclusion that claimant was eligible for benefits for the weeks at issue.

Claimant received the June 23, 2025 letter on the day that it was posted to her account and started attempting to follow its instructions to verify her identity at a post office after having first registered to

do so in Frances Online. However, claimant was prevented from so registering because Frances Online required claimant to enter a PIN that she was not provided with. The record was not well-developed regarding the matter of the PIN. The Department, who did not appear at the hearing, did not explain in its Attestation how or why a PIN would be required for this process, nor did it indicate that claimant was ever provided with a PIN for this purpose. Thus, the preponderance of the evidence shows that claimant was unable to complete the preliminary step of the process as explained in the June 23, 2025 letter prior to the deadline because the Department failed to provide her with the PIN necessary for her to do so.

The record shows that claimant had at least one other alternate way to verify her identity without the use of a PIN: by visiting a WorkSource office. The record shows that neither this nor any other alternatives were explained in the letter, however, and does not show that claimant otherwise knew or had reason to know of these alternatives prior to the July 7, 2025 deadline. Furthermore, while claimant apparently waited until July 15, 2025, more than a week after the deadline, to contact the Department about the lack of a PIN, the Department took nearly a month to respond to her message and provide her with an alternate means of verifying her identity. Thus, it is reasonable to infer that even if claimant had attempted to contact the Department about the problem before the deadline passed, she still would have not likely received a response until after the deadline.

In sum, the record shows that claimant was not afforded due process because the Department notified her of only one method of verifying her identity prior to the deadline, and failed to provide her with the means to do so. Under such circumstances, it was, through no fault of her own, functionally impossible for claimant to comply with the Department's identity verification requirements by the deadline. Therefore, equity dictates that claimant should be eligible for benefits for the weeks at issue.

**DECISION:** Order No. 25-UI-307840 is set aside, as outlined above.

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

**DATE of Service:** **December 8, 2025**

**NOTE:** This decision reverses the ALJ's order denying claimant benefits. Please note that in most cases, payment of benefits owed will take about a week for the Department to complete.

**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)

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