

EMPLOYMENT APPEALS BOARD DECISION
2025-EAB-0671

*Affirmed
Request to Reopen Allowed
Ineligible Weeks 15-25 through 22-25*

PROCEDURAL HISTORY: On April 15, 2025, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant had failed to complete her identity verification and was ineligible for benefits beginning April 6, 2025 (decision # L0010329578). Claimant filed a timely request for hearing. On July 21, 2025, notice was mailed to claimant that a hearing was scheduled for August 6, 2025. On August 6, 2025, claimant failed to appear at the hearing, and ALJ Blam issued Order No. 25-UI-299878, dismissing claimant's request for hearing due to her failure to appear.

On August 11, 2025, claimant filed a request to reopen the August 6, 2025 hearing. On November 4, 2025, ALJ Micheletti conducted a hearing. The Department provided a written statement called an Attestation instead of having a witness attend the hearing. On November 12, 2025, ALJ Micheletti issued Order No. 25-UI-310261, allowing claimant's request to reopen and modifying decision # L0010329578 by concluding that claimant failed to complete her identity verification and was ineligible for benefits for the weeks from April 6 through May 31, 2025 (weeks 15-25 through 22-25). On November 22, 2025, claimant filed an application for review with the Employment Appeals Board (EAB).

EVIDENTIARY MATTER: EAB has considered additional evidence as necessary to complete the record when reaching this decision under OAR 471-041-0090(1) (May 13, 2019). The additional evidence is the Department's Attestation, 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: EAB considered claimant's argument in reaching this decision.

PARTIAL ADOPTION: EAB considered the entire hearing record, including witness testimony and any exhibits admitted as evidence. EAB agrees with the part of Order No. 25-UI-310261 allowing claimant's request to reopen the August 6, 2025 hearing. That part of Order No. 25-UI-310261 is **adopted**. *See ORS 657.275(2).*

FINDINGS OF FACT: (1) On March 19, 2025, claimant filed an initial claim for benefits that the Department determined was monetarily valid. When filing the claim, claimant elected to receive correspondence from the Department through Frances Online, rather than by mail. Claimant claimed benefits for the weeks from April 6 through May 31, 2025 (weeks 15-25 through 22-25). These are the weeks at issue. The Department did not pay benefits for the weeks at issue.

(2) On March 24, 2025, the Department issued a letter, viewable in claimant's Frances Online account, that stated she must verify her identity in person by April 7, 2025, or benefits could be denied. Claimant initially overlooked the letter in her account, and did not attempt to verify her identity by the deadline because she was unaware of the requirement.

(3) After receiving decision # L0010329578, claimant attempted several times to contact the Department by telephone to discuss the denial of benefits, but was unsuccessful. Claimant eventually spoke with a representative on or shortly before July 2, 2025, who directed her to check her Frances Online account, and claimant then read the March 24, 2025 letter.

(4) On July 2, 2025, claimant completed the identity verification requirement.

CONCLUSIONS AND REASONS: Claimant failed to complete identity verification during 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. * * *

On March 24, 2025, the Department notified claimant through Frances Online that she was required to verify her identity in person by April 7, 2025. Claimant testified that she overlooked the letter in her Frances Online account and failed to verify her identity by the deadline. Audio Record at 13:11. During and after the weeks at issue, claimant tried repeatedly to contact the Department by telephone to inquire about the resulting denial of benefits but was unable to speak with a representative until about July 2, 2025. That representative directed claimant to look for the March 24, 2025 letter in her Frances Online account, and after locating it, claimant followed its instructions to complete the identity verification on July 2, 2025.

Posting the letter in claimant's Frances Online account, which was the method by which claimant elected to receive correspondence regarding her claim, satisfied due process requirements by notifying her of what actions were required to maintain eligibility for benefits. While it is unfortunate that claimant overlooked the letter and later had difficulty reaching a representative by telephone to discuss the matter, the rules do not provide a "good cause" exception for failing to comply with the requirement by the stated deadline. Accordingly, claimant failed to complete identity verification during the weeks at issue and is ineligible for benefits for those weeks.

DECISION: Order No. 25-UI-310261 is affirmed.

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

DATE of Service: December 26, 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 – 本判决会影响您的失业救济金。如果您不明白本判决, 请立即联系就业上诉委员会。如果您不同意此判决, 您可以按照该判决结尾所写的说明, 向俄勒冈州上诉法院提出司法复审申请。

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 naaiintindihan 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 – សេចក្តីសម្រចន់មានជលប៊ែនពាល់ជលប់អត្ថប្រយោជន៍គ្នានករោងធ្វើរបស់លោកអ្នក។ ប្រសិនបើលោកអ្នកមិនយល់អំពីសេចក្តីសម្រចន់ សូមទាក់ទងគណៈកម្មការខ្លួនរៀងករោងភ្លាមទាំងមួយ ប្រសិនបើលោកអ្នកមិនយល់ស្របចំពោះសេចក្តីសម្រចន់ទេ លោកអ្នកអាចជាក់ពាក្យបីដែលសំឡែងមានការពិនិត្យឱ្យដឹងទិន្នន័យកុលារខ្លួនណ៍ Oregon ដោយអនុវត្តតាមសេចក្តីណែនាំដែលសែនរាជ្យខាងចុងបញ្ហាប់នៃសេចក្តីសម្រចន់។

Laotian

ເອົາໃຈໃສ່ – ຄໍາຕັດສິນນີ້ມີຜົນກະທົບຕໍ່ກັບເງິນຊ່ວຍເຫຼືອການຫວ່າງງານຂອງທ່ານ. ຖ້າທ່ານບໍ່ເຂົ້າໃຈຄໍາຕັດສິນນີ້, ກະລຸນາຕິດຕໍ່ຫາຄະນະກຳມະການອຸທອນການຈ້າງງານໃນທັນທີ. ຖ້າທ່ານບໍ່ເຫັນດີນໍາຄໍາຕັດສິນນີ້, ທ່ານສາມາດຢືນຄໍາຮ້ອງຂໍການທີບທວນຄໍາຕັດສິນນຳສານອຸທອນລັດ Oregon ໄດ້ໂດຍປະຕິບັດຕາມຄໍາແນະນຳທີ່ບ່ອກໄວ້ຢ່າງຍໍາຍໍາຄໍາຕັດສິນນີ້.

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، بلا فاصله با هیأت فرجم خواهی استفاده کنید. اگر از این حکم رضایت ندارید، می توانید با استفاده از دستور العمل موجود در پایان آن، از دادگاه تجدید نظر اورگان درخواست تجدید نظر کنید.

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