

EMPLOYMENT APPEALS BOARD DECISION
2026-EAB-0061

Affirmed
Request to Reopen Denied

PROCEDURAL HISTORY: On July 8, 2025, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant failed to provide identity verification information and was therefore ineligible to receive unemployment insurance benefits effective June 29, 2025, and until the reason for the denial ended (decision # L0011718160). On July 28, 2025, decision # L0011718160 became final without claimant having filed a request for hearing. On August 26, 2025, claimant filed a late request for hearing. ALJ Kangas considered the request, and on October 1, 2025 issued Order No. 25-UI-305572, dismissing the request as late, subject to claimant's right to renew the request by responding to an appellant questionnaire by October 15, 2025. On October 10, 2025, claimant filed a timely appellant questionnaire response. On October 17, 2025, the Office of Administrative Hearings (OAH) sent a letter stating that Order No. 25-UI-305572 was vacated and that a hearing would be scheduled to determine whether claimant's late request for hearing should be allowed and, if so, the merits of decision # L0011718160.

On October 22, 2025, notice was mailed to claimant that a hearing was scheduled for November 5, 2025. On November 5, 2025, claimant failed to appear for the hearing, and ALJ Honea issued Order No. 25-UI-309520, dismissing claimant's late request for hearing due to the failure to appear. On November 13, 2025, claimant filed an application for review with the Employment Appeals Board (EAB) that, by rule, was forwarded to OAH as a request to reopen the November 5, 2025 hearing.¹ ALJ Kangas considered the request, and on January 5, 2026 issued Order No. 26-UI-316011, denying the request to reopen and leaving Order No. 25-UI-309520 undisturbed. On January 15, 2026, claimant filed an application for review of Order No. 26-UI-316011 with EAB.

WRITTEN ARGUMENT: On January 15, 2026, claimant submitted written argument to EAB with their application for review. Claimant's argument contained new information about why they failed to appear at the November 5, 2025 hearing. However, the argument did not show that factors or circumstances beyond claimant's reasonable control prevented them from timely offering the information into the record before the ALJ at OAH who was considering their request to reopen the

¹ See OAR 471-041-0060(4) (May 13, 2019).

hearing as required by OAR 471-040-0040(3) (February 10, 2012). Furthermore, on November 19, 2025, EAB mailed a letter to claimant saying, in part, that their request to reopen the hearing would be dismissed if they did not provide OAH with a statement explaining why they missed the hearing. Exhibit 5 at 1. Under ORS 657.275(2) and OAR 471-041-0090 (May 13, 2019), EAB did not consider claimant's new information.

ADOPTION OF HEARING ORDER: EAB considered the entire hearing record, including witness testimony and any exhibits admitted as evidence. EAB agrees with Order No. 26-UI-316011's findings of fact, reasoning, and conclusion that claimant failed to show good cause to reopen the November 5, 2025 hearing. Order No. 26-UI-316011 is **adopted**. *See* ORS 657.275(2).

DECISION: Order No. 26-UI-316011 is affirmed.

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

DATE of Service: February 27, 2026

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 desisyong ito.

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 محكمة الإستئناف 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 دستور العمل موجود در پایان آن، از دادگاه تجدید نظر اورگان درخواست تجدید نظر کنید.

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