

EMPLOYMENT APPEALS BOARD DECISION
2026-EAB-0197

Affirmed
Late Claims for Benefits Denied

PROCEDURAL HISTORY: On December 4, 2025, the Oregon Employment Department (the Department) served notice of twelve administrative decisions, each concluding that claimant filed late claims for unemployment insurance benefits for one of the weeks of July 20, 2025 through October 11, 2025 (weeks 30-25 through 41-25), successively, and therefore was denied benefits for each of those weeks (decisions # L0014358750, L0014432821, L0014441105, L0014407706, L0014489250, L0014359490, L0014540428, L0014463182, L0014521174, L0014352410, L0014373869, and L0014453159, respectively). On December 8, 2025, the Department served notice of five administrative decisions, each concluding that claimant filed late claims for benefits for one of the weeks of October 12, 2025 through November 15, 2025 (weeks 42-25 through 46-25), successively, and therefore was denied benefits for each of those weeks (decisions # L0014467350, L0014452439, L0014428951, L0014520655, and L0014461016, respectively). Claimant filed timely requests for hearing on all 17 decisions.

On February 2, 2026, ALJ Honea conducted a consolidated hearing on all 17 administrative decisions, and on February 10, 2026 issued Orders No. 26-UI-319805, 26-UI-319781, 26-UI-319778, 26-UI-319851, 26-UI-319808, 26-UI-319839, 26-UI-319838, 26-UI-319849, 26-UI-319841, 26-UI-319853, 26-UI-319852, 26-UI-319820, 26-UI-319816, 26-UI-319845, 26-UI-319857, 26-UI-319856, and 26-UI-319847, respectively affirming decisions # L0014358750, L0014432821, L0014441105, L0014407706, L0014489250, L0014359490, L0014540428, L0014463182, L0014521174, L0014352410, L0014373869, L0014453159, L0014467350, L0014452439, L0014428951, L0014520655, and L0014461016. On February 24, 2026, claimant filed applications for review of Orders No. 26-UI-319805, 26-UI-319781, 26-UI-319778, 26-UI-319851, 26-UI-319808, 26-UI-319839, 26-UI-319838, 26-UI-319849, 26-UI-319841, 26-UI-319853, 26-UI-319852, 26-UI-319820, 26-UI-319816, 26-UI-319845, 26-UI-319857, 26-UI-319856, and 26-UI-319847 with the Employment Appeals Board (EAB).

EAB combined its review of Orders No. 26-UI-319805, 26-UI-319781, 26-UI-319778, 26-UI-319851, 26-UI-319808, 26-UI-319839, 26-UI-319838, 26-UI-319849, 26-UI-319841, 26-UI-319853, 26-UI-319852, 26-UI-319820, 26-UI-319816, 26-UI-319845, 26-UI-319857, 26-UI-319856, and 26-UI-319847 under OAR 471-041-0095 (October 29, 2006). For case-tracking purposes, this decision is being

issued in 17 identical counterparts (EAB Decisions 2026-EAB-0185, 2026-EAB-0184, 2026-EAB-0183, 2026-EAB-0195, 2026-EAB-0186, 2026-EAB-0190, 2026-EAB-0189, 2026-EAB-0194, 2026-EAB-0191, 2026-EAB-0197, 2026-EAB-0196, 2026-EAB-0188, 2026-EAB-0187, 2026-EAB-0192, 2026-EAB-0199, 2026-EAB-0198, and 2026-EAB-0193).

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. Additionally, much of the new information in claimant’s written argument appeared to concern her separation from a former employer. That matter is not at issue in these cases, and the information regarding it is therefore not relevant and material to EAB’s determination of whether claimant’s late claims for benefits should be allowed. 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.

In her written argument, claimant suggested that her failure to file timely claims for the weeks at issue in these matters was the result of various factors such as her reliance on guidance from WorkSource Oregon staff, difficulties in reaching the Department online or via phone, the fact that Frances Online “did not clearly prompt or direct [claimant] to continue weekly filings after [her] initial denial,” and a “difficulty [in] processing dense legal text[.]” Claimant’s Written Argument at 1. None of these factors show that claimant detrimentally relied on advice from WorkSource Oregon staff in deciding not to file her claims for the weeks at issue until the appeal of her work separation decision was resolved. Neither does the record show that claimant was not notified that she should continue filing weekly claims while the appeal of the work separation decision progressed, or that she was unable to read or otherwise understand the instructions to do so.¹

In sum, the record shows that claimant was, more likely than not, advised on the work separation administrative decision to continue filing weekly claims while she waited for the appeal of that decision to resolve, and does not show that she was ever advised otherwise. Thus, claimant’s failure to file timely claims for the weeks at issue was the result of her failing to either read or understand the advisory provided to her by the Department. Because no good cause exception exists to the requirement to file timely weekly claims for benefits, claimant’s late claims for benefits for the weeks at issue must be denied.

ADOPTION OF HEARING ORDER: EAB considered the entire consolidated hearing record, including witness testimony and any exhibits admitted as evidence. EAB agrees with Orders No. 26-UI-319805, 26-UI-319781, 26-UI-319778, 26-UI-319851, 26-UI-319808, 26-UI-319839, 26-UI-319838, 26-UI-319849, 26-UI-319841, 26-UI-319853, 26-UI-319852, 26-UI-319820, 26-UI-319816, 26-UI-319845, 26-UI-319857, 26-UI-319856, and 26-UI-319847’s findings of fact, reasoning, and conclusion that claimant’s late claims for benefits for the respective weeks at issue are denied. Orders No. 26-UI-319805, 26-UI-319781, 26-UI-319778, 26-UI-319851, 26-UI-319808, 26-UI-319839, 26-UI-319838, 26-UI-319849, 26-UI-319841, 26-UI-319853, 26-UI-319852, 26-UI-319820, 26-UI-319816, 26-UI-319845, 26-UI-319857, 26-UI-319856, and 26-UI-319847 are **adopted**. See ORS 657.275(2).

¹ Each of the administrative decisions on appeal in these matters advised, in relevant part, “Continue to turn in your claim for weekly benefits during the appeal process.” See, e.g., Order No. 26-UI-319805, Exhibit 1 at 6. It can be reasonably inferred that the same instructions were included on the work separation decision that claimant appealed.

DECISION: Orders No. 26-UI-319805, 26-UI-319781, 26-UI-319778, 26-UI-319851, 26-UI-319808, 26-UI-319839, 26-UI-319838, 26-UI-319849, 26-UI-319841, 26-UI-319853, 26-UI-319852, 26-UI-319820, 26-UI-319816, 26-UI-319845, 26-UI-319857, 26-UI-319856, and 26-UI-319847 are affirmed.

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

DATE of Service: April 7, 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 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 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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