

EMPLOYMENT APPEALS BOARD DECISION
2026-EAB-0414

Affirmed
Late Request to Reopen Allowed
Late Request for Hearing Allowed
Not Eligible for TUI

PROCEDURAL HISTORY: On May 14, 2024, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant's training plan did not meet the requirements for the Training Unemployment Insurance (TUI) Program and denying claimant benefits beginning May 13, 2024 (decision # L0004040485). On June 3, 2024, decision # L0004040485 became final without claimant having filed a request for hearing. On June 21, 2024, claimant filed a late request for hearing. On June 5, 2025, the Office of Administrative Hearings (OAH) served notice of a hearing scheduled for June 16, 2025 on whether to allow claimant's late request for hearing, and if so, the merits of decision # L0004040485. On June 16, 2025, claimant failed to appear at the hearing, and ALJ Scott issued Order No. 25-UI-295036, dismissing claimant's request for hearing due to his failure to appear. On July 7, 2025, Order No. 25-UI-295036 became final without claimant having filed a request to reopen the hearing.

On October 21, 2025, claimant filed a late request to reopen the hearing. OAH considered claimant's request. On April 9, 2026, ALJ Scott held a hearing, and on April 10, 2026, issued Order No. 26-UI-326715, granting claimant's request to reopen the hearing, allowing claimant's late request for hearing, and affirming decision # L0004040485 on the merits. On April 28, 2026, claimant filed an application for review with the Employment Appeals Board (EAB).

WRITTEN ARGUMENT: EAB considered claimant's written argument submitted with his application for review when reaching this decision. Claimant states "I am appealing because the decision was based on incorrect information. During the hearing, the Oregon Employment Department representative told the Judge that I did not submit the school information required for TUI. This is not correct." Claimant's written argument at 1. Claimant argues that because the May 14, 2024 administrative decision from OED states that the training was denied because the school was not accredited or licensed by the state where the training was provided, it proves that OED received claimant's school information, contrary to the testimony of the OED representative during the April 9, 2026 hearing which Order No. 26-UI-326715 was based upon.

Claimant's confusion is understandable. Although the administrative decision does state that claimant was enrolled at a training facility that is not accredited or licensed by the state where the training is provided, the decision states "We have **denied** your benefits starting May 13, 2024 because your training plan does not meet the requirements for the program." Administrative decision # L0004040485 at 1 (emphasis in original). The decision goes on to state that claimant was "enrolled at a Building Executive Function Skills Successful Employment for None-listed-Did not provide an application training." Administrative decision # L0004040485 at 1. Thus, the administrative decision does state the claimant did not provide the application training, consistent with the testimony of the OED representative at claimant's hearing and the findings of fact and conclusion of Order No. 26-UI-326715.

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-326715's findings of fact, reasoning, decisions to grant claimant's request to reopen the hearing and allow claimant's late request for hearing, and conclusion that claimant was not eligible for TUI benefits beginning May 13, 2024. Order No. 26-UI-326715 is **adopted**. See ORS 657.275(2).

DECISION: Order No. 26-UI-326715 is affirmed.

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

DATE of Service: June 4, 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 محكمة 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، می توانید با استفاده از دستور العمل موجود در پایان آن، از دادگاه تجدید نظر اورگان درخواست تجدید نظر کنید.

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