EO: Intrastate
BYE: 08-Aug-2026

State of Oregon
Employment Appeals Board
875 Union St. N.E.
Salem, OR 97311

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EMPLOYMENT APPEALS BOARD DECISION
2026-EAB-0901

Affirmed
Late Request for Hearing Dismissed

PROCEDURAL HISTORY: On September 9, 2025, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant failed to verify their identity in accordance with the Department's rules and therefore was not eligible for unemployment insurance benefits beginning August 31, 2025 (decision # L0013090234). On September 29, 2025, decision # L0013090234 became final without claimant having filed a request for hearing. On July 13, 2026, claimant filed a late request for hearing. ALJ Kangas considered claimant's request, and on July 27, 2026 issued Order No. 26-UI-335984, dismissing the request as late, subject to claimant's right to renew the request by responding to an appellant questionnaire by August 10, 2026.

Claimant filed a timely response to the appellant questionnaire. ALJ S. Lee considered claimant's response, and on September 14, 2026 issued Order No. 26-UI-339763, re-dismissing claimant's request for hearing as late without good cause, leaving decision # L0013090234 undisturbed. On September 23, 2026, claimant filed an application for review of Order No. 26-UI-339763 with the Employment Appeals Board (EAB).

WRITTEN ARGUMENT: Claimant submitted written arguments on September 23, 2026 and October 4, 2026. EAB considered claimant's October 4, 2026 written argument when reaching this decision. Claimant's September 23, 2026 argument contained information that was not part of the record, and did not show that factors or circumstances beyond claimant's reasonable control prevented them from offering the information into the record while the matter was pending before the ALJ. Under ORS 657.275(2) and OAR 471-041-0090 (May 13, 2019), EAB considered only information received into evidence while the matter was pending at the Office of Administrative Hearings (OAH). EAB considered any parts of claimant's September 23, 2026 argument that were based on the record.

In their arguments, claimant expressed concern that the order under review took judicial notice that claimant had "accessed and reviewed [decision # L0013090234]" via Frances Online on July 4, 2026. *See, e.g.*, Claimant's October 4, 2026 Written Argument at 1; Order No. 26-UI-339763 at 2. However,

claimant's objection to this noticed information was based on claimant's assertion that claimant "reviewed [their] Frances Online account and [did not see] anything showing that [claimant] accessed or reviewed [decision # L0013090234] on July 4." Claimant's October 4, 2026 Written Argument at 1. Claimant did not, however, specifically deny that they had accessed the administrative decision on that date.

EAB reviewed the Department's records and found, as had the order under review, that claimant accessed decision # L0013090234 on July 4, 2026. In light of this, the fact that claimant does not have access to this information in their Frances Online account, or was otherwise unable to determine how to find it, is not sufficient to refute this finding. As such, the record shows that claimant did access the administrative decision on July 4, 2026, and that, as a result, the factors that prevented them from having filed a timely request for hearing ended on that date. Because claimant did not file their request for hearing until July 13, 2026, they did not file the request within the required seven-day "reasonable time" period, and, as concluded by Order No. 26-UI-339763, claimant's late request for hearing must therefore be denied.

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-339763's findings of fact, reasoning, and denial of claimant's late request for hearing. Order No. 26-UI-339763 is **adopted**. *See* ORS 657.275(2).

DECISION: Order No. 26-UI-339763 is affirmed.

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

DATE of Service: November 5, 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 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 ໄດ້ ໂດຍປະຕິບັດຕາມຄຳແນະນຳທີ່ບອກໄວ້ຢູ່ຕອນທ້າຍຂອງຄຳຕັດສິນນີ້.

Arabic

هذا القرار قد يؤثر على منحة البطالة الخاصة بك، إذا لم تفهم هذا القرار، إتصل بمجلس منازعات العمل فورا، 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 دستورالعمل موجود در پایان آن، از دادگاه تجدید نظر اورگان درخواست تجدید نظر کنید.

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