

EAB FAQs

I am a claimant and I disagree with an Oregon Employment Department decision that denied or reduced my benefits. Or, I am an employer and I disagree with a decision allowing benefits to the claimant. What can I do if I disagree with the decision?

You may request a hearing with an Administrative Law Judge (ALJ) at the Office of Administrative Hearings to review the Department's decision. If you do not request a hearing by the deadline stated on the decision, it may prevent you from having the Department's decision changed. There are several ways to request a hearing:

- Request a hearing through Frances Online. Click on "View or Change Benefit Details," then select "File an Appeal"
- Send a request through OED's [Contact Us form](#)
- Fax a request to OED at 503-947-1335
- Mail a request to OED – UI Hearings, 875 Union St NE, Salem, OR 97311
- Call the OED at 503-947-3149 and speak with an agent or leave a message with all the required information

You should include the following information with your Request for Hearing: claimant's Social Security number or Customer Identification Number (CID), the decision number for the decision(s) you are appealing and date issued, and a brief description of why you are appealing.

I participated in a telephone hearing with an Administrative Law Judge (ALJ) at the Office of Administrative Hearings. When can I expect to receive an order telling me the ALJ's decision?

You should receive an order from the Office of Administrative Hearings (OAH) within about two weeks after the hearing. If you do not receive an order after the hearing, you should email OAH at OED_OAH_UI_EMAILS@employ.oregon.gov or call 503-947-1353.

I missed my hearing at the Office of Administrative Hearings. What should I do?

If a hearing was held without you and you would like to request that the hearing be reopened, please contact the Office of Administrative Hearings (OAH) for further instructions about filing a request to reopen the hearing. You can call OAH at 503-947-1353 or email OED_OAH_UI_EMAILS@employ.oregon.gov. Also, for more information, see *Rights of Review of an Order*: <https://www.oregon.gov/employ/Documents/2024-05-UIPUB15.pdf>

The Office of Administrative Hearings issued an order reversing all or part of the Department's decision and allowing my benefits. What now?

Unless there are other administrative decisions from the Department that affect your eligibility for benefits for the weeks you have claimed, you should begin to receive benefits once the Department processes the ALJ's order. It may take more than a week for the Department to process the order and begin issuing your benefits. If you have not received the benefits within 10 business days, you should contact the Department: <https://unemployment.oregon.gov> or call 1-877-File-4-UI (1-877-345-3484).

The Office of Administrative Hearings issued an order denying my request for hearing, or I had a hearing with an ALJ and received an order after my hearing. What can I do if I do not agree with the order?

You can file an application for review with the Employment Appeals Board that asks for EAB to review your case and issue a new decision. An application for review may be filed online on the EAB website: <https://secure.emp.state.or.us/eab/forms/index.cfm?action=af>

You can also file an application for review in person, by mail, by fax, or by emailing the EAB office or any office of the Employment Department, or the Office of Administrative Hearings. See *UI PUB 15 Rights of Review of An Order* for more information on filing an application for review: <https://www.oregon.gov/employ/Documents/2024-05-UIPUB15.pdf>

EAB reviews the record “*de novo*”. What does that mean?

“Record” refers to all the documents (exhibits) and testimony that the Administrative Law Judge (ALJ) received into evidence. “*De novo*” means “new.” That EAB reviews the record *de novo* just means that the board considers all the evidence as if the ALJ's order was never issued.

If EAB just reviews the record, and does not conduct hearings, how am I supposed to “make my case” to the board?

EAB will already be reviewing the testimony you and other parties provided at the hearing, any exhibits that were admitted into evidence at the hearing, and any other information contained in the hearing record. You may file a written argument, but it is not required. If you decide to file a written argument, you must provide the written argument to the other parties in the case or EAB will not consider your written argument. Written arguments are due 20 calendar days from the date that EAB mailed notice of receipt of a valid and timely application for review. You may file a written argument online: <https://secure.emp.state.or.us/eab/forms/index.cfm?action=waf>

You can also file a written argument in person, by mail, by fax, or by emailing the EAB office or any office of the Employment Department, or the Office of Administrative Hearings. See *UI PUB 15 Rights of Review of An Order* for more information on submitting a written argument: <https://www.oregon.gov/employ/Documents/2024-05-UIPUB15.pdf>

I want EAB to consider new information that was not presented at hearing or otherwise made part of the hearing record. What do I have to do?

EAB will generally not consider new information that was not received into the hearing record. However, OAR 471-041-0090 (May 13, 2019) allows EAB to consider new information, but only if you show the board, in writing, that circumstances beyond your reasonable control prevented you from presenting the information at the hearing, and that the information is relevant and material to the issues in the case.

I submitted an application for review to EAB. When can I expect to receive a decision from EAB?

You should receive a decision from EAB within about 45 days after you submit your application for review.