

**BOARD OF REVIEW**  
**OKLAHOMA EMPLOYMENT SECURITY COMMISSION**  
**P.O. BOX 53345**  
**OKLAHOMA CITY, OK 73152**

Docket No. **16-AT-08791-BR**

In Re: Claim of:

**APPELLANT**

**EMPLOYER**

SSA #

Date of Appeal to Board: **JULY 6, 2016**

**OPINION**

The BOARD OF REVIEW considered the findings and decision of the Appeal Tribunal Hearing Officer, \_\_\_\_\_, finding that good cause was not shown for the untimely filing of the claimant's appeal and dismissing the appeal for want of jurisdiction in accordance with Section 2-603 and Section 2-614, Title 40, Okla. Stat., as amended. This matter is submitted on the recording of the hearing held before the Appeal Tribunal, the Appeal Tribunal decision, and the records in the offices of the Oklahoma Employment Security Commission, the Appeal Tribunal, and the Board of Review pertaining to this appeal.

The claimant's appeal to the Board of Review was a day late. She said it was because of flooding in Lawton. Her car suffered major damages and she was unable to get a ride to the Post Office until a day after the appeal period expired. Under the circumstances, the Board finds it was beyond her control to have filed the appeal on time, and so she had good cause for the untimely appeal to the Board.

Her appeal to the Appeal Tribunal was also untimely. She said she received the Notice of Determination in a timely manner, but she did not read the instructions fully about her appeal deadline. She was unaware she only had 10 days in which to appeal the Determination. That is not considered to be a situation beyond her control. Therefore she did not have good cause to file that appeal late.

The Board of Review concludes that the findings of fact and the conclusion(s) previously adopted by the Appeal Tribunal are applicable and that same should be adopted by the Board of Review as asserted.

**IT IS THEREFORE ORDERED BY THE BOARD OF REVIEW that the decision of the Appeal Tribunal is hereby AFFIRMED.**

**COPIES TO: CLAIMANT  
EMPLOYER**

**APPEAL RIGHTS**

Within 30 days after the mailing date of this decision, as shown opposite, further written appeal for judicial review may be filed in the District Court of claimant's county of residence or in the District Court of Oklahoma County if claimant is not a resident of Oklahoma, in accordance with Section 2-610, Title 40, Ok. Stat.

**CERTIFICATE OF MAILING**

I certify on 8-1-16 I personally placed copies of this decision in the United States mail in envelopes addressed to the claimant and employer at their respective addresses shown on the decision. Said envelopes were sealed and bore indicia of proper postage paid.