

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

Docket No. **16-AT-09266-UCX-BR**

In Re: Claim of:

APPELLANT

EMPLOYER

SSA #

Date of Appeal to Board: **JULY 15, 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.

In her appeal to the Board of Review, the claimant said the reason her appeal was late was because the Post Office delivered the Appeal Tribunal Decision to the wrong address. At the hearing, however, she offered no such testimony. She testified under oath that her appeal was late because she had been out of town for two weeks and she did not return home until the appeal period had expired. Before she returned home, her mother told her that she had received mail from the Commission. She did not ask what the mail was about.

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 8-9-16 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.