OES-453 (Rev. 9-85)

BOARD OF REVIEW

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

Docket No. **16-AT-09488-BR**

In Re: Claim of:

APPELLANT **EMPLOYER**

SSA #

Date of Appeal to Board: **JULY 27, 2016**

OPINION

The BOARD OF REVIEW considered the findings and decision of the Appeal Tribunal Chief Hearing Officer, finding the claimant failed to show good cause for non-appearance at the hearing scheduled on JULY 14, 2016, in accordance with Rule 240:10-13-40 of the Rules for Administration of the Oklahoma Employment Security Act, and reinstating the decision of the Appeal Tribunal issued on JULY 15, 2016, which found the claimant voluntarily left her last employment without good cause connected to the work and disallowing benefits in accordance with Section 2-404, 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 said she missed the hearing because of stress caused by the death of her father a week prior to the hearing, frustration over not being able to find a job, financial worries, and medical issues. She did not ask for a postponement of the hearing. While it is certainly understandable that she was under stress and preoccupied with all these issues, she did not establish that it was beyond her control to have called in for the hearing. In fact, she did call in about two hours after the scheduled start time for the hearing, but by that time it was too late for her to participate.

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.