

**EMPLOYMENT APPEALS BOARD DECISION**

**2014-EAB-1363**

*Affirmed  
Disqualification*

**PROCEDURAL HISTORY:** On July 3, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily left work without good cause (decision # 80325). Claimant filed a timely request for hearing. On July 28, 2014, ALJ Shoemake conducted a hearing, and on July 30, 2014 issued Hearing Decision 14-UI-22481, affirming the Department's decision. On August 14, 2014, claimant filed an application for review with the Employment Appeals Board (EAB).

EAB considered claimant's written argument to the extent it was relevant and based on the hearing record. In her written argument, claimant asserted she left work when her husband told her "that I should give notice because I was always feeling horrible at the end of every day and he saw major signs of depression in me." During the hearing, claimant asserted she left work to pursue her education. In either case, claimant failed to meet her burden of persuasion to demonstrate her situation was so grave she had no alternative but to leave. Claimant did not pursue a medical leave of absence or request the assistance of human resources to address her mental health concerns. Nor did she address her vacation concerns within her union right to pursue a grievance.

EAB reviewed the entire hearing record. On *de novo* review and pursuant to ORS 657.275(2), the hearing decision under review is **adopted**.

**DECISION:** Hearing Decision 14-UI-22481 is affirmed.

Susan Rossiter and Tony Corcoran;  
J. S. Cromwell, not participating.

**DATE of Service:** September 4, 2014

**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 listed above. *See* ORS 657.282. For forms and information, you may write to the Oregon Court of Appeals, Records Section, 1163 State Street, Salem, Oregon 97310 or visit the website at [court.oregon.gov](http://court.oregon.gov). Once on the website, click on the blue tab for “Materials and Resources.” On the next screen, click on the tab that reads “Appellate Case Info.” On the next screen, select “Appellate Court Forms” from the left panel. On the next page, select the forms and instructions for the type of Petition for Judicial Review that you want to file.

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