

EMPLOYMENT APPEALS BOARD DECISION

2014-EAB-1320-R

*Affirmed
Disqualification*

PROCEDURAL HISTORY: On July 1, 2014, the Oregon Employment Department (the Department) served notice of an administrative decision concluding claimant voluntarily quit work without good cause (decision # 150046). Claimant filed a timely request for hearing. On July 24, 2014, ALJ M. Davis conducted a hearing, and on July 25, 2014 issued Hearing Decision 14-UI-22224, affirming the Department's decision. On August 8, 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. Claimant argued that inappropriate conduct by the managers and nepotism put him in the predicament of standing up for his "moral values" versus retaining his employment. As the ALJ correctly pointed out in his decision, the burden of persuasion is on the claimant to establish good cause for quitting. Page 2. Here, claimant has not done so. Claimant was the moving party, he created his own gravity by making an accusation that the employer investigated and determined was unfounded. The evidence in this record is at best evenly balanced.

DECISION: Hearing Decision 14-UI-22224 is affirmed.

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

DATE of Service: August 26, 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. 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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