

**EMPLOYMENT APPEALS BOARD DECISION**  
**2025-EAB-0607**

*Affirmed*  
*Disqualification*

**PROCEDURAL HISTORY:** On July 9, 2025, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant quit working for the employer without good cause and was disqualified from receiving benefits from May 11, 2025 through May 9, 2026 (decision # L0011705893). Claimant filed a timely request for hearing. On September 22, 2025, ALJ Frank conducted a hearing, and on September 30, 2025 issued Order No. 25-UI-305398, modifying decision # L0011705893 by concluding that claimant quit without good cause and was disqualified from receiving benefits effective April 20, 2025, until requalified under Department law.<sup>1</sup> On October 13, 2025, claimant filed an application for review with the Employment Appeals Board (EAB).

**WRITTEN ARGUMENT:** EAB did not consider claimant's written argument because she did not state that she provided a copy of her argument to the employer as required by OAR 471-041-0080(2)(a) (May 13, 2019).

**FINDINGS OF FACT:** (1) Aleph LLC employed claimant as a medical assistant at their clinic from November 2024 until April 24, 2025.

(2) During claimant's employment she was twice placed on a performance improvement plan, largely because the employer felt she was not following her supervisor's directives. Claimant perceived the supervisor giving her directives and the employer's insistence on her adhering to them as "being micromanaged." Transcript at 17. Claimant also felt that her coworkers did not make her "part of the team," though she twice voluntarily attended group lunches they organized. Transcript at 26.

(3) In March 2025, claimant was granted a six-week bereavement leave following the death of her father. Claimant returned to work on Monday, April 21, 2025. That day, claimant's supervisor welcomed her back and told her, "[W]e want you to be comfortable here, but if you don't want to be

<sup>1</sup> Although Order No. 25-UI-305398 stated it affirmed decision # L0011705893, it modified that decision by changing the beginning date and duration of the disqualification. Order No. 25-UI-305398 at 3.

here, let us know. If this isn't the right fit for you, let us know." Transcript at 9. Over the course of her employment, claimant had twice before been asked if she was happy with her job and if it was a good fit. Claimant felt "bullied" and "intimidated" by these comments, and that the employer was "trying to push [her] out by those words." Transcript at 6, 9. From April 21 through 24, 2025, claimant felt "micromanaged every day" and that she was in a "hostile work environment" for that reason. Transcript at 17.

(4) On April 24, 2025, claimant's supervisor directed her to take a birthday card to another department, but claimant ignored the directive because she thought her usual work of preparing exam rooms was more important. At the end of the workday, claimant's supervisor spoke with her privately to reprimand her for disregarding the directive. During the conversation, the supervisor "slapped her hand on the exam room table," and in reference to claimant disregarding the birthday card directive said, "[Y]our negativity needs to stop, and if you don't want to be here, you need to let us know." Transcript at 9. Later in the conversation, after another member of management was asked to join, claimant's supervisor again slapped her hand on the table while speaking to claimant. Claimant said, "I feel in fear, and I don't deserve the way I'm being treated. . . I quit," and walked out. Transcript at 17. Claimant did not work for the employer thereafter.

(5) Prior to quitting work, claimant did not attempt to address her concerns about her supervisor or coworkers, or feelings of unhappiness at work, with any other member of management, including the practice manager who handled human resources matters. Claimant felt that the practice manager "would be more on [claimant's supervisor's] side than [claimant's] side," and therefore did not pursue that option. Transcript at 18. If claimant had complained to the practice manager, an impartial investigation would have been conducted and an attempt made to mediate and resolve claimant's concerns and preserve her employment.

**CONCLUSIONS AND REASONS:** Claimant quit work without good cause.

A claimant who leaves work voluntarily is disqualified from the receipt of benefits unless they prove, by a preponderance of the evidence, that they had good cause for leaving work when they did. ORS 657.176(2)(c); *Young v. Employment Dept.*, 170 Or App 752, 13 P3d 1027 (2000). "Good cause . . . is such that a reasonable and prudent person of normal sensitivity, exercising ordinary common sense, would leave work." OAR 471-030-0038(4) (September 22, 2020). "[T]he reason must be of such gravity that the individual has no reasonable alternative but to leave work." OAR 471-030-0038(4). The standard is objective. *McDowell v. Employment Dept.*, 348 Or 605, 612, 236 P3d 722 (2010).

Claimant quit work because she disliked the work environment, particularly how she was treated by her supervisor. However, the examples of mistreatment claimant provided, which involved the supervisor directing claimant to complete tasks, claimant failing to complete them, and the supervisor responding by reprimanding her and asking if she wanted to continue in her employment, would not cause a reasonable and prudent person of normal sensitivity, exercising ordinary common sense, to leave work. Although claimant considered being questioned about her commitment to her work and the supervisor slapping a table while reprimanding her to be bullying, intimidating, and hostile, a reasonable and prudent person of normal sensitivity would likely not feel the same way under these circumstances, and she therefore did not face a grave situation.

Furthermore, even if the situation could be considered grave, claimant had the reasonable alternative to quitting or complaining to the employer's practice manager about her supervisor's conduct and her general unhappiness with the work environment. Claimant asserted that the employer did not have a dedicated human resources department, but acknowledged that she knew her complaints should be directed to the practice manager. Transcript at 18. Moreover, claimant did not rebut the practice manager's testimony that she would have impartially investigated claimant's complaint, and attempted to mediate between claimant and the supervisor to improve their relationship and claimant's perspective of the work environment. Transcript at 22-23. Therefore, this was a reasonable alternative to quitting that claimant did not pursue. Accordingly, claimant quit work without good cause.

For these reasons, claimant quit work without good cause and is disqualified from receiving benefits effective April 20, 2025.

**DECISION:** Order No. 25-UI-305398 is affirmed.

D. Hettle and A. Steger-Bentz;  
S. Serres, not participating.

**DATE of Service:** November 14, 2025

**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 stated above**. See ORS 657.282. For forms and information, visit <https://www.courts.oregon.gov/courts/appellate/forms/Pages/appeal.aspx> and choose the appropriate form under "File a Petition for Judicial Review." You may also contact the Court of Appeals by telephone at (503) 986-5555, by fax at (503) 986-5560, or by mail at 1163 State Street, Salem, Oregon 97301.

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# Understanding Your Employment Appeals Board Decision

## English

Attention – This decision affects your unemployment benefits. If you do not understand this decision, contact the Employment Appeals Board immediately. If you do not agree with this decision, you may file a Petition for Judicial Review with the Oregon Court of Appeals following the instructions written at the end of the decision.

## Simplified Chinese

注意 – 本判決會影響您的失業救濟金。如果您不明白本判決，請立即聯繫就業上訴委員會。如果您不同意此判決，您可以按照該判決結尾所寫的說明，向俄勒岡州上訴法院提出司法複審申請。

## Traditional Chinese

注意 – 本判決會影響您的失業救濟金。如果您不明白本判決，請立即聯繫就業上訴委員會。如果您不同意此判決，您可以按照該判決結尾所寫的說明，向俄勒岡州上訴法院提出司法複審申請。

## Tagalog

Paalala – Nakakaapekto ang desisyong ito sa iyong mga benepisyo sa pagkawala ng trabaho. Kung hindi mo naiintindihan ang desisyong ito, makipag-ugnayan kaagad sa Lupon ng mga Apela sa Trabaho (Employment Appeals Board). Kung hindi ka sumasang-ayon sa desisyong ito, maaari kang maghain ng isang Petisyon sa Pagsusuri ng Hukuman (Petition for Judicial Review) sa Hukuman sa Paghahabol (Court of Appeals) ng Oregon na sinusunod ang mga tagubilin na nakasulat sa dulo ng desisyon.

## Vietnamese

Chú ý - Quyết định này ảnh hưởng đến trợ cấp thất nghiệp của quý vị. Nếu quý vị không hiểu quyết định này, hãy liên lạc với Ban Kháng Cáo Việc Làm ngay lập tức. Nếu quý vị không đồng ý với quyết định này, quý vị có thể nộp Đơn Xin Tái Xét Tư Pháp với Tòa Kháng Cáo Oregon theo các hướng dẫn được viết ra ở cuối quyết định này.

## Spanish

Atención – Esta decisión afecta sus beneficios de desempleo. Si no entiende esta decisión, comuníquese inmediatamente con la Junta de Apelaciones de Empleo. Si no está de acuerdo con esta decisión, puede presentar una Aplicación de Revisión Judicial ante el Tribunal de Apelaciones de Oregon siguiendo las instrucciones escritas al final de la decisión.

## Russian

Внимание – Данное решение влияет на ваше пособие по безработице. Если решение Вам непонятно – немедленно обратитесь в Апелляционный Комитет по Трудоустройству. Если Вы не согласны с принятым решением, вы можете подать Ходатайство о Пересмотре Судебного Решения в Апелляционный Суд штата Орегон, следуя инструкциям, описанным в конце решения.

## Khmer

ចំណុចសំខាន់ – សេចក្តីសម្រេចនេះមានផលប៉ះពាល់ដល់អត្ថប្រយោជន៍គ្មានការងារធ្វើរបស់លោកអ្នក។ ប្រសិនបើលោកអ្នកមិនយល់អំពីសេចក្តីសម្រេចនេះ សូមទាក់ទងគណៈកម្មការឧទ្ធរណ៍ការងារភ្លាមៗ។ ប្រសិនបើលោកអ្នកមិនយល់ស្របចំពោះសេចក្តីសម្រេចនេះទេ លោកអ្នកអាចដាក់ពាក្យប្តឹងសុំឲ្យមានការពិនិត្យរឿងក្តីឡើងវិញជាមួយតុលាការឧទ្ធរណ៍រដ្ឋ Oregon ដោយអនុវត្តតាមសេចក្តីណែនាំដែលសរសេរនៅខាងចុងបញ្ចប់នៃសេចក្តីសម្រេចនេះ។

## Laotian

ເອົາໃຈໃສ່ – ຄໍາຕັດສິນນີ້ມີຜົນກະທົບຕໍ່ກັບເງິນຊ່ວຍເຫຼືອການຫວ່າງງານຂອງທ່ານ. ຖ້າທ່ານບໍ່ເຂົ້າໃຈຄໍາຕັດສິນນີ້, ກະລຸນາຕິດຕໍ່ຫາຄະນະກຳມະການອຸທອນການຈ້າງງານໃນທັນທີ. ຖ້າທ່ານບໍ່ເຫັນດີນຳຄໍາຕັດສິນນີ້, ທ່ານສາມາດຍື່ນຄໍາຮ້ອງຂໍການທົບທວນຄໍາຕັດສິນນຳສານອຸທອນລັດ Oregon ໄດ້ໂດຍປະຕິບັດຕາມຄໍາແນະນຳທີ່ບອກໄວ້ຢູ່ຕອນທ້າຍຂອງຄໍາຕັດສິນນີ້.

## Arabic

هذا القرار قد يؤثر على منحة البطالة الخاصة بك، إذا لم تفهم هذا القرار، إتصل بمجلس منازعات العمل فوراً، و إذا كنت لا توافق على هذا القرار، يمكنك رفع شكوى للمراجعة القانونية بمحكمة الاستئناف بأوريغون و ذلك بإتباع الإرشادات المدرجة أسفل القرار.

## Farsi

توجه - این حکم بر مزایای بیکاری شما تاثیر می گذارد. اگر با این تصمیم موافق نیستید، بلافاصله با هیأت فرجام خواهی استخدام تماس بگیرید. اگر از این حکم رضایت ندارید، می‌توانید با استفاده از دستور العمل موجود در پایان آن، از دادگاه تجدید نظر اورگان درخواست تجدید نظر کنید.

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