

**EMPLOYMENT APPEALS BOARD DECISION**  
**2025-EAB-0628**

*Affirmed*  
*Disqualification*

**PROCEDURAL HISTORY:** On August 14, 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 effective June 1, 2025 (decision # L0012346704).<sup>1</sup> Claimant filed a timely request for hearing. On October 7, 2025, ALJ Murdock conducted a hearing, and on October 9, 2025 issued Order No. 25-UI-306661, affirming decision # L0012346704. On October 18, 2025, claimant filed an application for review with the Employment Appeals Board (EAB).

**WRITTEN ARGUMENT:** Claimant did not state that he provided a copy of his argument to the employer as required by OAR 471-041-0080(2)(a) (May 13, 2019). The argument also contained information that was not part of the hearing record and did not show that factors or circumstances beyond claimant's reasonable control prevented him from offering the information during the hearing as required by OAR 471-041-0090 (May 13, 2019). EAB considered only the information received into evidence at the hearing. *See* ORS 657.275(2).

**FINDINGS OF FACT:** (1) Lithia Motors Support Services, Inc. employed claimant, most recently as a technology purchasing supervisor, from November 30, 2020 through June 6, 2025.

(2) In November 2023, claimant visited the primary care clinic that the employer sponsored for its employees. There, claimant was diagnosed with hypertension, anxiety and depression, and was prescribed medications for these conditions. Claimant continued to follow up with the primary care clinic for these conditions through June 2024. In July 2024, the employer "decided to end the clinic for the employees." Transcript at 7. Claimant continued treating his conditions with medications after that point, obtaining refills for them either with telehealth providers or at urgent care clinics. In 2025,

<sup>1</sup> Decision # L0012346704 stated that claimant was denied benefits from June 1, 2025 to June 13, 2026. However, decision # L0012346704 should have stated that claimant was disqualified from receiving benefits beginning June 1, 2025 and until he earned four times his weekly benefit amount. *See* ORS 657.176.

claimant attempted to establish care with a new primary care provider, but “wasn’t able to do [so] because of the timeline that it was going to take to actually get a primary physician.” Transcript at 7.

(3) In or prior to February 2025, the employer discharged claimant’s then-manager and eliminated his position. In February 2025, claimant was assigned to work under a new manager. The new manager initially told claimant that he planned to “support [claimant] in the same way that [claimant’s] former manager had, with day-to-day work and running the department.” Transcript at 7–8. However, claimant soon realized that the new manager’s claim amounted to “false promises, and [claimant] had to pick up all the extra work that was left behind” by the former manager’s dismissal. Transcript at 8.

(4) Between March and May 2025, claimant spoke to his manager several times about the excessive workload, explaining that it was “increasing [his] stress load” and that it was “unsustainable for [claimant] and the department.” Transcript at 9. Each time, claimant’s manager would promise to provide him with extra support, but failed to do so. Claimant also spoke to the employer’s human resources (HR) and employee relations (ER) departments, who told claimant that they were unable to do anything about the situation because it was a matter for the employer’s executive leadership team. The HR and ER departments advised claimant to talk to the executive leadership team, but claimant did not do so because he felt that he “didn’t have a direct path to speak to” them. Transcript at 11.

(5) The increased workload claimant had been handling since approximately February 2025 caused claimant’s blood pressure and mental health conditions to worsen. As a result, on May 23, 2025, claimant gave the employer notice that he would be resigning on June 6, 2025.

(6) On May 27, 2025, claimant met with his manager, who asked claimant what it would take for claimant to agree to continue working for the employer. Claimant replied that there was nothing that could make him stay. However, after claimant went home for the evening, he continued to think about the question. Claimant then drafted a proposal for a promotion and raise in pay that he felt would better align with the responsibilities that he was already charged with. On May 28, 2025, claimant presented the proposal to his manager, who declined it and told claimant that “he didn’t want to offend [claimant] with a counter offer.” Transcript at 16–17.

(7) On June 6, 2025, claimant quit work as planned because of the stress caused by an excessive workload and the effects it had been having on his physical and mental health.

**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 Depart.*, 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). However, claimant had hypertension, anxiety, and depression, permanent or long-term “physical or mental impairments” as defined at 29 CFR §1630.2(h). For an individual with such impairments, good cause for voluntarily leaving work is such that a reasonable and prudent person with the characteristics and qualities of such individual, would leave work. OAR 471-030-0038(4). For all individuals, however, the reason for quitting must be of such gravity that the individual has no reasonable alternative but to leave work. OAR 471-030-0038(4).

Claimant quit work because of the stress caused by an excessive workload and the effects it had had on his physical and mental health. However, claimant did not meet his burden to show that this reason for quitting was of such gravity that he had no reasonable alternative but to leave work. Before ultimately quitting, claimant proposed continuing to work for the employer if given a promotion and raise in pay, which claimant admitted at hearing would not have alleviated his stress or related health symptoms. Transcript at 15–16. Claimant’s willingness to continue working for the employer under the same conditions in exchange for a promotion and raise in pay shows that he did not consider his stress and related health symptoms to be of such gravity that he had no reasonable alternative to quit when he did.

Rather than quit, claimant had the reasonable alternative of speaking to the employer’s executive leadership team about his concerns about being overworked, as suggested by the employer’s HR and ER departments. Claimant did not do so because he felt that he “didn’t have a direct path to speak to” them. Claimant further explained at hearing that his manager’s manager “was an executive at the very top of the company, and [claimant] was a supervisor and generally there’s four or five positions in the chain of escalation before you would get to the executive of the company.” Transcript at 11. It is not clear from this explanation that claimant could not have spoken to his manager’s manager, or any other member of the executive leadership team, had he chosen to do so. Claimant did not, for instance, assert that he literally had no way to contact this executive, that he had reason to believe that the executive would refuse to talk to claimant, or that he would have faced some other negative consequences for contacting the executive directly. In the absence of such assertions, it is reasonable to infer that claimant merely assumed that it would be improper to contact the executive instead of handling the matter with his direct supervisor. This is insufficient to show that attempting to contact the executive (or another member of the leadership team) would have been futile. Therefore, doing so would have been a reasonable alternative to quitting.

Additionally, claimant did not meet his burden to show that he had exhausted his options for further medical intervention. The record shows that the employer’s clinic, where claimant had been receiving primary care, closed in July 2024, and suggests that claimant may have had trouble finding a new primary care provider after that date. Claimant offered few details about his efforts to do so, however, explaining only that he “wasn’t able to do [so] because of the timeline that it was going to take to actually get a primary physician.” Given that claimant worked for the employer for another year after his last primary care visit, and nearly that long after the clinic closed, it stands to reason that claimant likely could have found another primary care provider, or some other provider or providers who could better address his medical needs, within that period of time. If claimant continued to have difficulty controlling his stress-related hypertension, for instance, it would have been reasonable for him to seek further care to determine whether a different medication regimen, dietary changes, or other options could have better controlled that condition. Because claimant did not show that he made such efforts, he did not seek this reasonable alternative.

For the above reasons, claimant quit work without good cause and is disqualified from receiving benefits effective June 1, 2025.

**DECISION:** Order No. 25-UI-306661 is affirmed.

D. Hettle and A. Steger-Bentz;

S. Serres, not participating.

**DATE of Service: November 21, 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 دستورالعمل موجود در پایان آن، از دادگاه تجدید نظر اورگان درخواست تجدید نظر کنید.

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