

EMPLOYMENT APPEALS BOARD DECISION
2025-EAB-0725

Affirmed
Disqualification

PROCEDURAL HISTORY: On September 5, 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 beginning July 13, 2025 (decision # L0012827552).¹ Claimant filed a timely request for hearing. On November 13, 2025, ALJ Micheletti conducted a hearing, and on November 18, 2025 issued Order No. 25-UI-310976, affirming decision # L0012827552. On November 21, 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 them 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) Riverview Christian Fellowship employed claimant from October 2023 through July 13, 2025. The employer operated a church and K-12 school.

(2) Claimant initially worked for the employer full-time as a worship pastor and media director. In or around March 2025, claimant decided to quit working for the employer so that he could start his own ministry with his wife. On March 22, 2025, claimant gave the employer two weeks' notice of his intent to resign. However, after meeting with the employer, claimant agreed to continue working for the employer in a part-time capacity, working remotely as their media director. The employer and claimant agreed that this arrangement would be temporary, and that the employer would eventually replace

¹ Decision # L0012827552 stated that claimant was denied benefits from July 13, 2025 to July 11, 2026. However, decision # L0012827552 should have stated that claimant was disqualified from receiving benefits beginning July 13, 2025 and until he earned four times his weekly benefit amount. *See* ORS 657.176.

claimant once they found a suitable candidate who could fill the role. Claimant transitioned to working for the employer part time and remote-only as their media director.

(3) In or around May 2025, claimant began holding Bible study meetings at his home as part of his new ministry. One of the attendees included a mutual friend of claimant's and the lead pastor of the employer's church.

(4) On July 9, 2025, the lead pastor met with claimant to discuss claimant's ministry. The lead pastor had recently heard of claimant's efforts in developing the ministry, and that their mutual friend had planned to speak at an upcoming meeting at claimant's home. In light of this, the lead pastor asked claimant who else from the employer's church might be attending claimant's meetings, intending to "mitigate confusion" regarding attendance at the church. Transcript at 19. Claimant refused to provide the lead pastor with this information, asserting that he did not feel "obligated" to do so. Transcript at 19. The lead pastor felt that claimant's refusal to provide this information constituted an "inability to communicate about things... in a cordial way that was healthy and productive." Transcript at 25.

(5) On July 10, 2025, a former employee of the church, who had worked in claimant's position before claimant started, contacted the employer and offered to come back to work for them. The employer accepted, and hired the former employee to replace claimant.

(6) On July 11, 2025, the lead pastor informed claimant that they had found a replacement for his position and "offered to keep [claimant] employed through the end of July." Transcript at 22. As part of this arrangement with claimant, the lead pastor asked claimant if he would be willing to train the person they had hired to replace him. Claimant declined to do so and stated that he "would just have that be the day." Transcript at 33. Claimant subsequently "took a couple [of] days to... clear everything out." Transcript at 33. Claimant did not work for the employer again after July 13, 2025.

CONCLUSIONS AND REASONS: Claimant quit work without good cause.

Nature of the Work Separation. A work separation occurs when a claimant or employer ends the employer-employee relationship.

If claimant could have continued to work for the employer for an additional period of time, the work separation is a voluntary leaving. OAR 471-030-0038(2)(a) (September 22, 2020). If claimant was willing to continue working for the employer for an additional period of time, but the employer did not allow claimant to do so, the separation is a discharge. OAR 471-030-0038(2)(b).

The parties disputed the nature of the work separation. At hearing, claimant asserted that the employer discharged him on July 11, 2025, and that after their call on July 9, 2025, he had been willing to continue working for them in the same part-time capacity. Transcript at 5, 12–13. The employer's lead pastor testified that after he informed claimant on July 11, 2025 that they intended to discharge him on July 31, 2025, claimant "declined" the offer to stay on until that date, and "proceeded to basically say he was done that day... which then carried over into two days later to wrap up" various affairs. Transcript at 22. Claimant later explained in his testimony that the lead pastor asked if he would be willing to train the person they had hired to replace him, which claimant declined to do. Transcript at 33.

Thus, the employer notified claimant on July 11, 2025 that he would be discharged on July 31, 2025 and asked him to train his replacement during the remainder of the month, but claimant declined to do so and left on July 13, 2025. Regardless of the fact that the employer planned to discharge claimant at the end of the month, or that claimant had been willing to continue working for the employer as of July 9, 2025, this shows that as of July 13, 2025, claimant was no longer willing to continue working for the employer, whereas the employer was willing to continue employing him for an additional period of time. Therefore, the work separation was a quit which occurred on July 13, 2025.²

Under ORS 657.176(7), if an employer notified a claimant they would be discharged on a specific date, and the discharge would not have been for misconduct, but the claimant quit without good cause no more than 15 days before the date of the impending discharge, then the separation from work is adjudicated as if the quit had not occurred, and the discharge had occurred. ORS 657.176(7). However, the claimant is ineligible for benefits for the week in which the quit occurred through the week before the week in which the claimant would have been discharged. ORS 657.176(7)

As the order under review correctly explained, the fact that claimant quit prior to the date on which the employer intended to discharge him is, in these circumstances, immaterial. Order No. 25-UI-310976 at 2–3. July 13, 2025 was more than 15 days prior to July 31, 2025. Therefore, it is not necessary to determine whether the planned discharge would have been for misconduct. Instead, it is only necessary to determine whether, as discussed below, claimant had good cause for quitting.

Voluntary Leaving. 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 on July 13, 2025, two days after the employer had notified him that they intended to discharge him on July 31, 2025. Claimant did not offer a clear explanation for his decision to leave earlier than the employer would have allowed. However, his testimony suggests two possible reasons for quitting:

Uh, he asked if I was willing to train the person that was coming back onboard. And after the conversation that was the same, um, kind of thing implied. I would use the word implied kind of request or almost requirement to be letting him know what we were doing with our personal stuff. And I just, um, said that would be, uh, that I would just have that be the day. And it took a couple days to – to clear everything out... It was just the requirement or the implication that I’m going to continue to let them know everything that’s going on.

² Claimant’s testimony also indicated that he “continued to help [the employer] from a nonpaid position at times” after July 13, 2025. Transcript at 33. However, even if claimant occasionally volunteered his time to help the employer after that date, claimant was no longer considered to be employed by the employer at that point, as any services he provided on a volunteer basis were, presumably, not performed for remuneration. See ORS 657.030(1); ORS 657.067(1).

Transcript at 32–33. This testimony appears to show that claimant was either unwilling to train his replacement, was unwilling to share with the lead pastor any more information regarding his ministry and its attendees, or both. Neither of these concerns amounted to reasons of such gravity that claimant had no reasonable alternative but to quit.

Claimant did not offer any explanation for why he may have been unwilling to continue working for the employer to train his replacement, and the record does not otherwise show that doing so would have caused claimant any sort of harm or hardship. Thus, to the extent that claimant quit for this reason, he did not meet his burden to show that he quit for a grave reason.

Likewise, while the record shows that claimant had some reluctance towards disclosing the details of his ministry or its attendees to the employer, claimant did not explain why he was so reluctant, or what he believed would have happened if he disclosed this information to the employer. Neither does the record show that the employer would have even required this of claimant. Therefore, to the extent that claimant quit for this reason, he also failed to meet his burden to show that he faced a situation of such gravity that he had no reasonable alternative but to quit.

Finally, claimant did not show that quitting on July 13, 2025, as opposed to waiting until the employer discharged him at the end of the month, benefitted him in any way. *See Oregon Public Utility Commission v. Employment Dep't.*, 267 Or App 68, 340 P3d 136 (2014) (for a claimant to have good cause to voluntarily leave work, the claimant must derive some benefit for leaving work). As such, claimant did not have good cause to quit work.

For the above reasons, claimant quit work without good cause and is disqualified from receiving benefits effective July 13, 2025.

DECISION: Order No. 25-UI-310976 is affirmed.

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

DATE of Service: December 26, 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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