

**EMPLOYMENT APPEALS BOARD DECISION
2025-EAB-0774**

*Affirmed
No Disqualification Weeks 29-25 and 30-25
Disqualification Effective Week 31-25*

PROCEDURAL HISTORY: On October 8, 2025, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that the employer discharged claimant for misconduct and claimant was disqualified from receiving unemployment insurance benefits effective July 13, 2025 (decision # L0013269475). Claimant filed a timely request for hearing. On December 2, 2025, ALJ Goodrich conducted a hearing, and on December 10, 2025 issued Order No. 25-UI-313725, modifying decision # L0013269475 by concluding that the employer discharged claimant, not for misconduct, within 15 days prior to claimant's planned voluntary leaving without good cause, and claimant therefore was not disqualified from receiving benefits for the weeks of July 13 through July 26, 2025 (weeks 29-25 through 30-25), but was disqualified from receiving benefits effective July 27, 2025 (week 31-25). On December 12, 2025, claimant filed an application for review with the Employment Appeals Board (EAB).

WRITTEN ARGUMENT: Claimant submitted written arguments on December 12, 2025 and December 17, 2025. The employer submitted a written argument on December 23, 2025.

EAB did not consider claimant's December 12, 2025 written argument because claimant did not state that they provided a copy of their argument to the employer as required by OAR 471-041-0080(2)(a) (May 13, 2019). The employer's argument contained information that was not part of the hearing record and did not show that factors or circumstances beyond the employer's reasonable control prevented them from offering the information during the hearing. Under ORS 657.275(2) and OAR 471-041-0090, EAB considered only information received into evidence at the hearing. EAB considered any parts of the employer's argument that were based on the hearing record.

EAB considered claimant's December 17, 2025 written argument. In it, claimant argued that the employer "materially altered" the terms of employment by failing to promote claimant to a higher-paying salaried position at the three-month mark of employment. Claimant's December 17, 2025

Argument at 2. Claimant further argued that the order under review erred by focusing on whether claimant faced a grave situation, a focus that claimant contended was “not required by statute or rule.” Claimant’s December 17, 2025 Argument at 2.

Claimant’s arguments are not persuasive. It was entirely appropriate for the order under review to assess whether the circumstances of claimant’s employment presented him with a grave situation. Doing so is required by law, as claimant’s burden is to prove that he had good cause to quit, which requires a showing that claimant quit for a reason “of such *gravity*” that he had “no reasonable alternative but to leave work.” OAR 471-030-0038(4) (September 22, 2020) (emphasis added).

As the order under review correctly concluded, claimant did not prove that the circumstances of his employment presented him with a grave situation. Whether the employer had promised to promote claimant to a salaried position after three months was disputed by the employer. Even if the employer had made such a promise and gone back on it, leaving work did not benefit claimant because there remained the possibility that he could be promoted to the higher-paying salaried position at the six-month or one-year marks and did not create a situation so grave that claimant had no reasonable alternative but to quit work when he did. The order’s reasoning and conclusions are free of legal error and supported by the record.

ADOPTION OF HEARING ORDER: EAB considered the entire hearing record, including witness testimony and any exhibits admitted as evidence. EAB agrees with Order No. 25-UI-313725’s findings of fact, reasoning, and conclusion that the employer discharged claimant, not for misconduct, within 15 days prior to claimant’s planned voluntary leaving without good cause. Order No. 25-UI-313725 is **adopted**. *See* ORS 657.275(2).

DECISION: Order No. 25-UI-313725 is affirmed.

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

DATE of Service: January 20, 2026

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 – 本判决会影响您的失业救济金。如果您不明白本判决, 请立即联系就业上诉委员会。如果您不同意此判决, 您可以按照该判决结尾所写的说明, 向俄勒冈州上诉法院提出司法复审申请。

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 Tự 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 – សេចក្តីសម្រចនេះមានធនប៉ះពាល់ដល់អគ្គប្រយោជន៍គ្មានការងាររដ្ឋូរបស់លោកអ្នក។ ប្រសិនបើលោកអ្នកមិនយល់អំពីសេចក្តីសម្រចនេះ សូមទាក់ទងគណៈកម្មការខ្លួនណ៍ការងារភ្នាមធម៌។ ប្រសិនបើលោកអ្នកមិនយល់ស្របចំពោះសេចក្តីសម្រចនេះទេ លោកអ្នកអាជីវការការពិនិត្យធម្មិនក្នុងរឿងវិញជាមួយគុណភាពខ្លួនណ៍ដូច Oregon ដោយអនុវត្តតាមសេចក្តីណែនាំដើម្បីសេវាដោយចុងបញ្ជប់នៃសេចក្តីសម្រចនេះ។

Laotian

ເອົາໃຈສ់ – ការតັດສິນນີ້ມີຜົນກະທົບຕໍ່ກັບເງິນຊ່ວຍເຫຼືອການຫວ່າງງານຂອງທ່ານ。ຖ້າທ່ານບໍ່ເຂົ້າໃຈការតັດສິນນີ້, ກະລຸນາຕິດຕໍ່ຫາຄະນະກຳມະການຊຸ່ອທອນການຈ້າງງານໃນຫັນທີ່. ຖ້າທ່ານບໍ່ເຫັນຕິນໍາការតັດສິນນີ້, ທ່ານສາມາດຢືນការຮ້ອງຂໍການທີ່ບໍ່ທວນការតັດສິນນີ້ສານຊຸ່ອທອນລັດ Oregon ໄດ້ໂດຍປະຕິບັດຕາມຄໍາແນະນຳທີ່ບອກໄວ້ຢ່າງຂອງការតັດສິນນີ້.

Arabic

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Farsi

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

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