

**EMPLOYMENT APPEALS BOARD DECISION**  
**2026-EAB-0032**

*Affirmed*  
*No Disqualification*

**PROCEDURAL HISTORY:** On September 16, 2025, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant voluntarily quit working for 845 Sugar, LLC without good cause and was therefore disqualified from receiving unemployment insurance benefits effective July 6, 2025 (decision # L0013213624).<sup>1</sup> Claimant filed a timely request for hearing. On December 15, 2025, ALJ Murdock conducted a hearing, and on December 19, 2025 issued Order No. 25-UI-315004, reversing decision # L0013213624 by concluding that claimant quit working for 845 Sugar, LLC with good cause and was therefore not disqualified from receiving benefits based on that work separation. On January 5, 2026, the employer filed an application for review with the Employment Appeals Board (EAB).

**WRITTEN ARGUMENT:** EAB did not consider the employer's written argument because they did not state that they provided a copy of their argument to claimant as required by OAR 471-041-0080(2)(a) (May 13, 2019). However, the employer's argument expressed confusion regarding the admission of exhibits and the effect of the order under review, which merits a brief explanation.

Claimant was employed by two related companies, 845 Sugar, LLC and Kola Brand, LLC, transferring from the former to the latter on January 1, 2025. Later in 2025, after claimant separated from Kola Brand, LLC and filed a claim for unemployment insurance benefits, the Department issued an administrative decision disqualifying claimant from receiving benefits based on the final work separation. The Department also issued decision # L0013213624, disqualifying claimant from benefits based on the separation that had occurred when claimant transferred between the two companies several months earlier (under OAR 471-030-0038 (September 22, 2020), a separation occurred at that time because claimant voluntarily quit working for 845 Sugar, LLC to immediately begin working for Kola

<sup>1</sup> Decision # L0013213624 stated that claimant was denied benefits from August 10, 2025 to August 8, 2026. However, as decision # L0013213624 asserted that the work separation occurred on July 8, 2025, it should have stated that claimant was disqualified from receiving benefits beginning Sunday, July 6, 2025, and until he earned four times his weekly benefit amount. *See* ORS 657.176.

Brand, LLC).<sup>2</sup> Claimant requested a hearing on each administrative decision, and the hearings were held consecutively on the same day, with the same employer representative. Two exhibits submitted by the employer were admitted into evidence in the hearing on the Kola Brand, LLC separation, and the order in that matter disqualified claimant from receiving benefits effective July 13, 2025 (Order No. 25-UI-315000). The exhibits were not directly relevant to the separation from 845 Sugar, LLC that occurred as a result of claimant's transfer between companies, and were not admitted as evidence at hearing in that matter, which is the matter now before EAB. Order No. 25-UI-315004 correctly concluded that the separation from 845 Sugar, LLC that occurred as a result of claimant's transfer between companies did not disqualify him from receiving benefits because claimant quit working for 845 Sugar, LLC to immediately begin working at Kola Brand, LLC under circumstances that amounted to good cause under OAR 471-030-0038(5)(a). Order No. 25-UI-315004 at 2-3. As explained below, EAB adopts that conclusion with respect to the employer's appeal of Order No. 25-UI-315004. However, the net effect of Orders No. 25-UI-315004 and 25-UI-315000 is that claimant is disqualified from receiving benefits effective July 13, 2025 because of the separation from Kola Brand, LLC, and until requalified under law.

**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-315004's findings of fact, reasoning, and conclusion that claimant quit working for 845 Sugar, LLC with good cause and is not disqualified from receiving benefits based on that work separation. Order No. 25-UI-315004 is **adopted**. *See* ORS 657.275(2).

**DECISION:** Order No. 25-UI-315004 is affirmed.

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

**DATE of Service:** February 18, 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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<sup>2</sup> As claimant earned more than four times his weekly benefit amount after he began working for Kola Brand, LLC on January 1, 2025, and before filing his initial claim for unemployment insurance benefits in August 2025, the Department should not have adjudicated the work separation resulting from the transfer (the 845 Sugar, LLC separation). *See* 657.176(2); ORS 657.265. However, it appears the Department had inaccurate information regarding the dates of employment for each employing entity.



# 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 الإستئناف 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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