

EMPLOYMENT APPEALS BOARD DECISION
2026-EAB-0212

Affirmed
No Disqualification

PROCEDURAL HISTORY: On November 18, 2025, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant quit working for the employer without good cause, disqualifying payment from receiving benefits effective April 13, 2025 (decision # L0014200753).¹ Claimant filed a timely request for hearing. On February 6, 2026, ALJ Andersen conducted a hearing, and on February 12, 2026 issued Order No. 26-UI-320155, reversing decision # L0014200753 by concluding that claimant quit with good cause and therefore was not disqualified from receiving benefits based on the quit. On March 3, 2026, the employer filed an application for review with the Employment Appeals Board (EAB).

WRITTEN ARGUMENT: The employer submitted a written argument with their application for review. EAB considered the employer's written argument in reaching this decision.

In their argument, the employer argued that the ALJ "erred in not allowing the employer to call an additional witness who would have been able to further expand on the continuing work available to the claimant." Employer's Written Argument at 2.

At hearing, the employer's employee relations specialist, who served as the employer's hearing representative, appeared and informed the ALJ that the employer had two witnesses, and told the ALJ their names. Audio Record at 00:40 to 1:33. The ALJ advised that it may be unnecessary for anyone beyond claimant and the employer's representative to testify, but had the representative confirm that the two witnesses were available to phone in if needed. Audio Record at 2:03 to 2:35. Thereafter, the ALJ and the employer's representative took turns examining claimant, and then the ALJ swore-in and began questioning the representative. Transcript at 4-16, 17. In her testimony, the representative mentioned that one of the employer's prospective witnesses was a human resources (HR) representative and could

¹ Decision # L0014200753 stated that claimant was denied benefits from April 15, 2025 to October 17, 2026. However, as decision # L0014200753 stated that claimant quit on April 15, 2025, the decision should have stated that claimant was disqualified from receiving benefits beginning Sunday, April 13, 2025 and until she earned four times her weekly benefit amount. *See* ORS 657.176.

testify about the employer's deferred resignation program, while the other was the employer's Oregon division administrator, who "could probably testify" about the lease on the building at which claimant had worked. Transcript at 18-20.

The ALJ then swore in the HR representative, and the ALJ and the employer's representative questioned that witness. Transcript at 21-28. The HR representative testified, among other things, that she was not involved particularly in lease renewal regarding claimant's building, though she knew that federal agencies like the employer had been asked to terminate leases if possible, and could confirm that none of the employer's leases, including that to claimant's building, were ultimately terminated. Transcript at 22-23.

After the HR representative completed her testimony, the ALJ considered whether to call the employer's Oregon division administrator as a witness. The ALJ stated, "I think we have enough information now to make a determination. So we won't need to call that witness or gather their testimony." Transcript at 28-29. The employer's representative did not object, ask the ALJ to reconsider, or seek to explain why the Oregon division administrator's testimony was necessary. The hearing then ended.

In light of the foregoing, the employer did not show that they were prejudiced by the ALJ's decision to decline to take testimony from the Oregon division administrator. The employer was allowed to present testimony from two witnesses, the employer's employee relations specialist (who also served as the employer's hearing representative) and the employer's HR representative. While the employer established that the Oregon division administrator "could probably testify" about the lease on the building at which claimant had worked, the employer's HR representative had already offered testimony on this point, and the employer did not show that the Oregon division administrator would offer any testimonial evidence on that point that was unique or particularly material. Transcript at 19. Moreover, at the time the ALJ announced that the witness's testimony would not be needed, the employer did not object or make an offer of proof as to what evidence the Oregon division administrator might provide, if any, beyond testimony regarding the building lease. Therefore, the employer failed to sufficiently preserve the issue to assess whether they were prejudiced due to the possibility that the Oregon division administrator might have offered salient evidence about other matters. Accordingly, the employer failed to show that remand is warranted because of the ALJ's decision to decline to take testimony from the Oregon division administrator.

ADOPTION OF HEARING ORDER: EAB considered the entire hearing record, including witness testimony and any exhibits admitted as evidence. EAB agrees with Order No. 26-UI-320155's findings of fact, reasoning, and conclusion that claimant quit work with good cause and therefore was not disqualified from receiving benefits based on the quit. Order No. 26-UI-320155 is **adopted**. See ORS 657.275(2).

DECISION: Order No. 26-UI-320155 is affirmed.

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

DATE of Service: April 15, 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.

Please help us improve our service by completing an online customer service survey. To complete the survey, please go to <https://www.surveygizmo.com/s3/5552642/EAB-Customer-Service-Survey>. If you are unable to complete the survey online and wish to have a paper copy of the survey, please contact our office.



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.

Employment Appeals Board - 875 Union Street NE | Salem, OR 97311
 Phone: (503) 378-2077 | 1-800-734-6949 | Fax: (503) 378-2129 | TDD: 711
 Email: appealsboard@employ.oregon.gov
 Website: www.Oregon.gov/employ/pages/employment-appeals-board.aspx

The Oregon Employment Department is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Language assistance is available to persons with limited English proficiency at no cost.

El Departamento de Empleo de Oregon es un programa que respeta la igualdad de oportunidades. Disponemos de servicios o ayudas auxiliares, formatos alternos y asistencia de idiomas para personas con discapacidades o conocimiento limitado del inglés, a pedido y sin costo.