

EMPLOYMENT APPEALS BOARD DECISION
2026-EAB-0228

Affirmed
Disqualification

PROCEDURAL HISTORY: On February 6, 2026, 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 8, 2025 (decision # L0015926366). Claimant filed a timely request for hearing. On March 4, 2026, ALJ Naylor conducted a hearing, and on March 5, 2026 issued Order No. 26-UI-322496, affirming decision # L0015926366. On March 9, 2026, claimant filed an application for review with the Employment Appeals Board (EAB).

WRITTEN ARGUMENT: Claimant submitted a written argument with his application for review that did not contain the required statement that a copy was provided to the employer. OAR 471-041-0080(2)(a) (May 13, 2019). However, claimant resubmitted the argument later that day with the required statement, and EAB considered the argument in reaching this decision. Claimant's March 12, 2026 argument contained information that was not part of the hearing record and did not show that factors or circumstances beyond his reasonable control prevented him from offering the information during the hearing. Under ORS 657.275(2) and OAR 471-041-0090 (May 13, 2019), EAB considered only information received into evidence at the hearing. EAB considered any parts of claimant's March 12, 2026 argument that were based on the hearing record.

Claimant asserted that the hearing proceedings were unfair or the ALJ was biased. EAB reviewed the entire hearing record, which shows that the ALJ inquired fully into the matters at issue and gave claimant a reasonable opportunity for a fair hearing as required by ORS 657.270(3) and (4), and OAR 471-040-0025(1) (August 1, 2004).

FINDINGS OF FACT: (1) Portland Opportunities Industrialization Center employed claimant as an associate program coordinator from October 2023 through June 13, 2025.

(2) Claimant's work involved supporting a project that served five local schools. Shortly after claimant was hired, work on this project was mostly performed by claimant and one other employee, but claimant

was told that the employer hoped to eventually expand this team to five employees, with each assigned their own school. Claimant was paid an hourly wage rather than a salary, and typically worked on weekdays from 9:00 a.m. to 5:00 p.m. Claimant was occasionally required to work an additional 30 to 60 minutes of overtime.

(3) Until November 2024, claimant and the other member of his team had a contentious relationship with their supervisor, and the employer's failure to expand claimant's team beyond two employees was one of the primary issues of contention. The employer's human resources department and their chief executive officer (CEO) were involved in attempts to mediate, particularly from July through November 2024. In November 2024, the supervisor separated from the employer and was replaced, and claimant's coworker transferred to another position with the employer. Claimant was thereafter the sole employee working on the project.

(4) Claimant considered the new supervisor who took over in November 2024 to be "very helpful," though she did not have experience with the project, and generally reiterated the employer's position that financial resources were not available to hire additional staff for it. Transcript at 13. Claimant continued to believe that additional staffing on the project was needed and told the new supervisor as much, but claimant did not communicate further with the human resources department or the CEO about that issue.

(5) On approximately June 1, 2025, claimant submitted written notice of his intent to resign, effective June 13, 2025. Claimant decided to quit work because he felt his workload "remained unsustainable." Transcript at 5. Shortly before claimant resigned, the employer was contemplating adding a sixth school to the project and hiring a new employee for the project team, while shifting some project responsibilities to employees of other departments. Claimant was "hopeful. . . but not confident" that project staffing would ultimately improve. Transcript at 27. On June 13, 2025, claimant quit working for the employer as expected.

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 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 work because he felt that his workload was excessive due to chronic understaffing. The record shows that throughout his employment, claimant complained about understaffing to his supervisors. Though claimant's witness at hearing testified that the employer was considering making some staffing changes shortly before claimant quit, the proposed staffing increase was relatively modest, and the employer was without the financial means to add four additional employees to the project, which is what claimant desired. *See* Transcript at 23-25. More likely than not, the employer was not in a position to make staffing changes that would have fully satisfied claimant's concerns, even if claimant

had continued to address his complaints to people other than his supervisor, such as the human resources department or the CEO.

However, the record suggests that, despite claimant's concerns, the employer remained satisfied with his individual performance and did not hold him responsible for any shortcomings in the execution of the project. While claimant was devoted to the success of the employer's project and understandably frustrated by any limitations caused by its understaffing, claimant failed to show that the situation resulted in a grave impact to him personally. Claimant testified that he was expected to work during standard business hours with negligible overtime occasionally required, and that he was paid by the hour. Transcript at 14-15. Claimant did not present evidence at hearing that the employer had expressed any dissatisfaction with his work at the time he quit, instead testifying that the employer wanted him to continue working on the project through at least the 2025-2026 school year. Transcript at 16. As such, the record shows that any consequences of the project being understaffed flowed only to the employer or its client schools, and not to claimant personally through, for example, requiring him to work substantial overtime without appropriate compensation or subjecting him to discipline for failing to achieve desired project outcomes. Under these circumstances, a reasonable and prudent person of normal sensitivity, exercising ordinary common sense, would not quit work so long as they were reasonably able to continue meeting the employer's expectations regarding their individual performance, as claimant was. Accordingly, claimant did not meet his burden of showing that he quit work because he faced a grave situation, and he therefore quit without good cause.

For these reasons, claimant quit work without good cause and is therefore disqualified from receiving benefits effective June 8, 2025.

DECISION: Order No. 26-UI-322496 is affirmed.

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

DATE of Service: April 22, 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 محكمة 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.