

EMPLOYMENT APPEALS BOARD DECISION
2026-EAB-0286

Affirmed
Disqualification

PROCEDURAL HISTORY: On February 9, 2026, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant quit work without good cause and was disqualified from receiving benefits effective December 7, 2025 through December 5, 2026 (decision # L0016000481). Claimant filed a timely request for hearing. On March 17, 2026, ALJ Naylor conducted a hearing, and on March 19, 2026 issued Order No. 26-UI-324254, modifying decision # L0016000481 by concluding that claimant quit work without good cause and was disqualified from receiving benefits effective December 7, 2025 and until requalified under Department law. On March 23, 2026, claimant filed an application for review with the Employment Appeals Board (EAB).

WRITTEN ARGUMENT: EAB considered the employer's written argument when reaching this decision. EAB did not consider claimant's March 23, 2026 written argument because she did not state that she provided a copy of her argument to the employer as required by OAR 471-041-0080(2)(a) (May 13, 2019). Claimant's April 20, 2026 argument contained information that was not part of the hearing record and did not show that factors or circumstances beyond claimant's reasonable control prevented her 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 April 20, 2026 argument that were based on the hearing record.

In her argument, claimant took issue with the fact that the order under review "focused on conflict of interest to make its determination," asserting instead that "the issue at hand was not whether [claimant] was starting a new business, but that [the employer] had turned the situation into one that was extremely hostile to [her.]" Claimant's April 20, 2026 Written Argument at 2. Claimant appears to be referring here to the conclusion in the order under review that claimant quit work to avoid being discharged for

what would have been a potential discharge for misconduct. *See* Order No. 26-UI-324254 at 4. Even if the record did not show that claimant quit, at least in part, to avoid being discharged for what would have been a potential discharge for misconduct, however, the record would nevertheless show that claimant did not face a situation of such gravity that she had no reasonable alternative but to quit.

Claimant further explained that she felt that the employer’s reaction to the news of claimant having created her own business and potentially having accepted a project referred by one of the employer’s clients, in which the employer became upset and used profanity “completely upended any possibility of [claimant] staying on, due to how threatened [claimant felt]”; and that, after the employer told claimant in a raised voice to go home and consider how she wanted to proceed, “[a] reasonable person in that situation would interpret these statements as a breakdown in the employment relationship and a significant threat to [claimant’s] emotional well-being.” Claimant’s April 20, 2026 Written Argument at 2–3. The record does not support the conclusion that a reasonable and prudent person would have concluded, based on these interactions, that they had no reasonable alternative but to quit.

To be clear, claimant’s discomfort at the employer’s having used profanity and raised her voice at claimant is understandable. However, discomfort over a conflict with one’s employer, even if understandable, is a common occurrence in employment relationships, and is not, by itself, grave. Claimant did not assert that she suffered any severe or long-lasting effects due to the conflict, such that she genuinely could not have continued working for the employer without suffering further harm. Neither did claimant show that the employer’s heightened response was typical or part of a long-standing pattern. In fact, the record suggests the opposite, as it does not show that such a conflict had ever previously arisen between claimant and the employer. In short, this incident appeared to be isolated, and the result of the employer’s feeling that claimant had violated both the conflict of interest policy and the employer’s trust in claimant. Given this, as well as the employer’s assertions at hearing that she had not yet decided whether to discharge claimant, a reasonable and prudent person in claimant’s circumstances would have, at the very least, made some meaningful effort to resolve the conflict with the employer, rather than refusing to speak to the employer further. Because claimant did not make such an effort, claimant did not meet her burden to show that she voluntarily quit work for a reason of such gravity that she had no reasonable alternative but to quit.

ADOPTION OF HEARING ORDER: EAB considered the entire hearing record, including witness testimony and any exhibits admitted as evidence. EAB agrees with Order No. Order No. 26-UI-324254’s findings of fact, reasoning, and conclusion that claimant quit work without good cause. Order No. 26-UI-324254 is **adopted**. *See* ORS 657.275(2).

DECISION: Order No. 26-UI-324254 is affirmed.

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

DATE of Service: May 6, 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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