

EMPLOYMENT APPEALS BOARD DECISION
2026-EAB-0484

Affirmed
Disqualification

PROCEDURAL HISTORY: On March 30, 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 February 1, 2026 (decision # L0016899490).¹ Claimant filed a timely request for hearing. On April 23, 2026, ALJ Andersen conducted a hearing, and on April 29, 2026 issued Order No. 26-UI-328616, affirming decision # L0016899490.² On May 8, 2026, claimant filed an application for review with the Employment Appeals Board (EAB).

FINDINGS OF FACT: (1) Alternative Services Oregon, Inc., employed claimant from May 25, 2023 until February 3, 2026.

(2) In or around 2003, claimant was diagnosed with bipolar disorder, schizoaffective disorder, post-traumatic stress disorder (PTSD), attention deficit and hyperactivity disorder (ADHD), depression, and anxiety. Claimant took prescribed medications to address the symptoms of these conditions.

(3) Claimant initially worked as a direct support professional for the employer, but was later promoted to assistant home manager of one of employer's program sites. In that capacity, several direct support professionals were subordinate to claimant. Claimant worked for the employer at a program site in Lane County, Oregon that provided care for supported individuals with intellectual or developmental disabilities.

¹ Decision # L0016899490 stated that claimant was denied benefits from February 1, 2026 to February 6, 2027. However, decision # L0016899490 should have stated that claimant was disqualified from receiving benefits beginning February 1, 2026 and until she earned four times her weekly benefit amount. See ORS 657.176.

² Order No. 26-UI-328616 stated in its "Order" section that claimant was disqualified from receiving benefits effective February 8, 2026. Order No. 26-UI-328616 at 3. However, this is construed as a typographical error and the order is presumed to have meant that the disqualification date is effective February 1, 2026, given that the order found that claimant quit work on February 2, 2026. Order No. 26-UI-328616 at 2.

(4) One of claimant's job tasks was to buy groceries for supported individuals who were cared for at the facility using those individuals' personal funds or food stamp benefits to pay for the grocery items. The employer expected all purchased grocery items to be used for the supported individual's benefit. The employer had a procedure that called for claimant to log the receipts from these shopping trips in a folder that was kept in a safe. The receipts would then be reviewed by the employer's program manager to ensure all funds were used to benefit the supported individual.

(5) On November 28, 2025, claimant went grocery shopping using a supported individual's food stamp benefits. In comparing the transaction receipt to the groceries claimant left at the program site, some of the direct support professionals who worked under claimant came to believe that some grocery items were unaccounted for and that claimant had taken the items. Based on this belief, the direct support professionals made a complaint to the employer and to a protective services agency alleging that claimant had financially exploited the supported individual. The protective services agency investigated and determined the allegation to be unsubstantiated.

(6) Despite the allegation of financial exploitation being unsubstantiated, on December 2, 2025, the employer gave claimant a disciplinary write-up. The write-up noted that the matter of the missing grocery items was "a serious issue" and that any further "report or observation of missing items" would result in claimant being discharged. Exhibit 1 at 6. The unsubstantiated complaint and disciplinary write-up caused tension among claimant, her supervisor, and the subordinate direct support professionals. Claimant felt she was subjected to harassment and bullying by the direct support professionals.

(7) On December 3, 2025, the site's program manager held a meeting with claimant and her supervisor to address the tensions in the workplace. However, the meeting only involved the three having discussions, and no concrete steps were taken to address the harassment and bullying claimant felt she was being subjected to by the direct support professionals.

(8) On or about January 20, 2026, one of the direct support professionals complained to claimant's supervisor that claimant was on her phone instead of performing her work duties. Claimant's supervisor told claimant that the two should meet with the supervisor's boss, the employer's program manager, to discuss the matter. Shortly thereafter, they did so. The program manager took no action against the direct support professional who complained and attributed the complaint to the direct support professional simply being moody. Claimant viewed the complaints made against her regarding being on her phone as intimidation and bullying by the direct support professionals.

(9) On February 2, 2026, the program manager was doing end-of-the-month reconciliation and noticed that a receipt from a shopping trip conducted by claimant was missing. Later that day, claimant's supervisor contacted claimant about the missing receipt. Claimant had diligently followed the procedure of placing receipts from shopping trips in the folder and then placing the folder in the safe. Claimant believed the direct support professionals were responsible for the missing receipt and that the matter was another instance of her being harassed by those individuals.

(10) The perceived harassment and bullying claimant was subjected to by the direct support professionals via the unsubstantiated exploitation complaint, the complaint that she was on her phone instead of working, and the missing receipt caused claimant mental and emotional distress, and worsened the symptoms of her mental health conditions.

(11) On February 3, 2026, claimant sent a text message to the program manager advising of her intent to resign effective immediately. Claimant resigned because of the perceived harassment and bullying from the direct support professionals and the negative impact that had on her mental health. Shortly after claimant quit working for the employer, someone found the missing receipt.

(12) The employer's human resources (HR) office was separate from that of claimant's supervisor and the program manager. Prior to resigning, claimant did not request that the HR office address the perceived harassment and bullying from the direct support professionals.

(13) Claimant did not request a transfer to another of the employer's facilities in Lane County. If she had made such a request, the employer would have transferred claimant to another facility but in a direct support professional position, not in an assistant home manager position. Claimant earned an annual salary of \$49,500 working as an assistant home manager. She would have earned about \$43,680 annually as a direct support professional at a different site, had she transferred into such a position.

CONCLUSIONS AND REASONS: Claimant voluntarily left 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 Depart.*, 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 Depart.*, 348 Or 605, 612, 236 P3d 722 (2010). Claimant had bipolar disorder, schizoaffective disorder, PTSD, ADHD, depression, and anxiety, permanent or long-term "physical or mental impairments" as defined at 29 CFR §1630.2(h). A claimant with an impairment who quits work must show that a reasonable and prudent person with the characteristics and qualities of an individual with such an impairment would not have continued to work for their employer for an additional period of time.

Claimant quit work on February 3, 2026 because of perceived harassment and bullying by direct support professionals who worked under her, and the negative effect that had on her mental health. The record shows that one or more of the direct support professionals made a complaint of financial exploitation against claimant that was not substantiated, and complained to claimant's supervisor that claimant was on the phone instead of working. Claimant also had diligently followed the employer's receipt procedure and blamed the direct support professionals for the receipt that came up missing on February 2, 2026. Regardless of who was responsible for the missing receipt or whether the complaints against claimant had any merit, claimant had numerous long-term or permanent mental health conditions that were worsened by the harassment to which she believed she was subjected. The record is therefore sufficient to conclude that claimant faced a grave situation.

However, claimant quit work without good cause because she did not pursue reasonable alternatives to leaving work. In particular, the employer had an HR office separate from claimant's supervisor and the program manager. Prior to resigning, claimant did not request that the HR office address the perceived harassment and bullying from the direct support professionals. Had she done so, the HR office may have taken action to address the perceived harassment from the direct support professionals, or helped to

bring to light that claimant was not responsible for the missing receipt. Although claimant had had prior meetings with her supervisor and the program manager in which no concrete steps were taken to address the harassment and bullying claimant believed she was subjected to, because the HR office was separate from the supervisor and the program manager, it is not reasonable to infer from the record that the HR office would have failed to take action based on the inaction of the supervisor and program manager.

Further, prior to quitting work, claimant did not request a transfer to another of the employer's facilities in Lane County. If she had made such a request, the employer would have transferred her to another facility but in a direct support professional position, not in an assistant home manager position. While this would have meant claimant would receive a reduction in pay from \$49,500 to about \$43,680 annually, that reduction, although not insubstantial, did not make the alternative unreasonable to pursue. Going forward with the transfer would have ended the perceived harassment and bullying by the direct support professionals and relieved the mental health difficulties claimant was experiencing, and thus would have addressed the grave situation claimant faced. This was a viable alternative, and though it would have caused claimant to sustain a reduction in pay, that course of action was preferable to claimant reducing her income to zero by ending her employment altogether.

Accordingly, although claimant faced a grave situation, she had reasonable alternatives to quitting when she did. Claimant therefore quit work without good cause and is disqualified from receiving benefits effective February 1, 2026.

DECISION: Order No. 26-UI-328616 is affirmed.

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

DATE of Service: June 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.

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 الاستئناف 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 دستورالعمل 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.