

EMPLOYMENT APPEALS BOARD DECISION
2026-EAB-0587

Affirmed
Disqualification

PROCEDURAL HISTORY: On May 19, 2026, the Oregon Employment Department (the Department) served notice of an administrative decision concluding that claimant voluntarily quit work without good cause, and therefore was disqualified from receiving unemployment insurance benefits effective April 12, 2026 (decision # L0017600619).¹ Claimant filed a timely request for hearing. On June 5, 2026, ALJ Parnell conducted a hearing, and on June 9, 2026 issued Order No. 26-UI-332343, affirming decision # L0017600619. On June 16, 2026, claimant filed an application for review with the Employment Appeals Board (EAB).

WRITTEN ARGUMENT: Claimant submitted written arguments on June 16 and 29, 2026. EAB did not consider either of claimant's written arguments because she did not state that she provided copies of her arguments to the employer as required by OAR 471-041-0080(2)(a) (May 13, 2019). Additionally, claimant's June 29, 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.

FINDINGS OF FACT: (1) Lenity Management OR, LLC employed claimant as the activities director at one of their retirement communities from March 11, 2026 through April 16, 2026.

(2) Throughout claimant's tenure with the employer, claimant felt that she did not receive adequate training or support for her role, and felt that employees were saying negative things about her behind her back.

¹ Decision # L0017600619 stated that claimant was denied benefits from April 12, 2026 to January 16, 2027. However, decision # L0017600619 should have stated that claimant was disqualified from receiving benefits beginning Sunday, April 12, 2026 and until she earned four times her weekly benefit amount. See ORS 657.176.

(3) Claimant's training included one-on-one training with the facility's resident care coordinator on the use of the employer's medical software system. After the training was completed, claimant was issued login credentials for the system, but had difficulty logging into the system. The employer also told claimant that they intended to send her for training at one of the employer's other facilities, though they did not give her a specific date for when that was to occur.

(4) In or around the first week of her employment, claimant contacted her manager via text message to request a sit-down meeting with him where they could discuss claimant's training. When the manager came in, claimant was able to speak to him briefly while the two were walking, but they did not have a sit-down meeting as claimant had requested. At the time, the manager was helping to cover issues at two other facilities and therefore had limited availability. Claimant attempted to contact the manager again at some point, but had difficulty reaching him. Claimant was uncertain of how to get in touch with the manager, although she had both his cell phone number and email address, and had been advised to contact him until he responded.

(5) The employer was legally required to maintain an accurate calendar of activities for their residents, a task that initially fell to claimant as the activities director. The employer used an application called Activity Connection for this purpose, and to generate a monthly newsletter. When claimant started working for the employer, the business office manager told her to use Activity Connection, but claimant told the office manager that she did not like Activity Connection and preferred to use a different application. Unbeknownst to the office manager, claimant proceeded to engage an outside vendor to develop a new application for her to use to create the monthly calendars and newsletters. The office manager eventually learned of this when the vendor contacted her. The office manager subsequently shut down the process with the vendor because it had not been approved by the corporate office, which upset claimant.

(6) Because she was having trouble with setting up the monthly calendar properly, claimant created a calendar for the month of April 2026 by using an April 2025 calendar and changing the year to 2026. *See Exhibit 1 at 16.* The calendar was also from a different facility with a different layout than claimant's. As such, the calendar, which claimant considered a "temporary fix," was not accurate, and therefore did not comply with the employer's legal requirements. *Transcript at 14.* Despite this, claimant posted the calendar. The employer subsequently determined that responsibility for the calendar and newsletter would be reassigned to the office manager and receptionist.

(7) The employer hosted an event for the 2026 Easter holiday, intended for both residents and their families. While claimant had some responsibility for working the event, it had largely been planned before she was hired. The event "didn't go as planned" as the staff was "kind of stressed out." *Transcript at 40.* As a result, claimant did not receive significant guidance as to what she should be doing during the event. Although claimant attempted to perform the tasks that were given to her, claimant received some negative feedback about a task she was allegedly performing incorrectly.

(8) On April 16, 2026, claimant attended a staff meeting in which she felt she had been "excluded from... discussions and ignored [by] management and staff," and during which she felt that "employees [were] discussing [claimant] among themselves." *Transcript at 10.* Claimant, frustrated by this, approached the receptionist after the meeting and quit, effective immediately. Claimant quit because she

felt that she had not received enough training or support, and that her coworkers had been talking behind her back.

(9) Immediately prior to quitting, claimant did not attempt to contact her manager or anyone else in a position of authority.

CONCLUSIONS AND REASONS: Claimant voluntarily 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 because she felt that she had not received enough training or support, and that her coworkers had been talking behind her back. As a preliminary matter, the parties offered significantly differing evidence on these points. Broadly, claimant’s testimony placed the blame for her working difficulties almost entirely on the employer, asserting, for instance, that she was not provided with adequate training; that she could not reach her manager to express her concerns; and that coworkers criticized her behind her back instead of speaking to her directly about their concerns with her performance.² By contrast, the employer asserted in their testimony and documentary evidence that claimant had been given significant training on the employer’s systems and that additional training was forthcoming; that claimant nevertheless denied having been trained on those systems; that the manager’s contact information was readily available to claimant; and that claimant’s coworkers attempted to help or guide her on several occasions, but that claimant either declined or ignored the offered help, or became “argumentative” when other employees attempted to explain how to do something.³

As claimant voluntarily quit work, she bears the burden of proof in this matter. The evidence on the above points is, at best, equally balanced and the facts, where in dispute, have therefore been found in accordance with the employer’s account. However, even if the facts were to be construed in claimant’s favor, claimant still would not have met her burden to show that she faced a situation of such gravity that she had no reasonable alternative but to quit.

Claimant worked for the employer for just over a month, and during that time felt that she did not receive adequate guidance or training on how to do her job. Although such a situation could be understandably frustrating, claimant did not show that it resulted in any particular negative outcome other than feelings of frustration. For instance, claimant did not show that her health or well-being, or that of the residents or her coworkers, was in jeopardy as a result. The same could similarly be said for feelings of frustration that others may have been speaking negatively about her behind her back. A

² See, e.g., Transcript at 11, 16, 20.

³ See, e.g., Transcript at 35, 49–50, Exhibit 1 at 14.

reasonable and prudent person in such a situation would not conclude that they had no reasonable alternative but to quit work.

Further, while claimant suggested at various points in her testimony that she was unable to reach her manager or did not know how to contact him, she directly contradicted herself by admitting that she actually did know how to reach him via his cell phone, had done so, and had at least briefly met with him at one point.⁴ Claimant also testified that she did not believe doing so would have helped her situation because he had largely been absent from the facility while she was working there. Transcript at 6. However, while claimant did not have as ready access to the manager as she might have liked, the record also shows that the manager had been away from the facility because he was helping with matters at other facilities, suggesting that this situation was temporary in nature. As such, and in light of the fact that claimant actually did have a way to contact the manager, a reasonable and prudent person would not have concluded that attempting further intervention from the manager would have been futile. Doing so therefore would have been a reasonable alternative to quitting.

Finally, claimant did not show that she derived any benefit from quitting. Under *Oregon Public Utility Commission v. Employment Dep't.*, 267 Or App 68, 340 P3d 136 (2014), for a claimant to have good cause to voluntarily leave work, the claimant must derive some benefit for leaving work. As claimant did not so show, she did not have good cause to quit.

For the above reasons, claimant voluntarily quit work without good cause, and therefore is disqualified from receiving unemployment insurance benefits effective April 12, 2026.

DECISION: Order No. 26-UI-332343 is affirmed.

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

DATE of Service: July 29, 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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⁴ See Transcript at 6, 46–47.



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 دستور العمل موجود در پایان آن، از دادگاه تجدید نظر اورگان درخواست تجدید نظر کنید.

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