

EMPLOYMENT APPEALS BOARD DECISION
2026-EAB-0659

Affirmed
Disqualification

PROCEDURAL HISTORY: On June 15, 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 unemployment insurance benefits effective April 12, 2026 (decision # L0018078972). Claimant filed a timely request for hearing. On July 9, 2026, ALJ Laurie-Gardiner conducted a hearing, and on July 10, 2026 issued Order No. 26-UI-334674, affirming decision # L0018078972.¹ On July 17, 2026, claimant filed an application for review with the Employment Appeals Board (EAB).

WRITTEN ARGUMENT: Claimant's argument contained information that was not part of the hearing record and did not show that factors or circumstances beyond her 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 argument that were based on the hearing record.

Additionally, 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 all parties 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) Marketsource, Inc. employed claimant as a recall specialist from December 1, 2024 through April 17, 2026.

(2) As a recall specialist, claimant's duties consisted of making in-person calls to the last-known owners of vehicles which still had defective Takata airbags in them and, once the vehicles were located, arrange with the owners for warranty repair. Claimant used an employer-provided app, Salesforce, which

¹ Although Order No. 26-UI-334674 stated it modified decision # L0018078972, it affirmed it because its disposition did not differ in any way from the outcome under decision # L0018078972. Order No. 26-UI-334674 at 4.

provided her with leads as to where the unrepaired vehicles could be kept, and allowed her to create routes so that she could drive to the customers' sites in an efficient manner.

(3) Claimant was paid a base wage of \$25 per hour, and worked 40 hours per week. Claimant was also eligible for a quarterly bonus of between \$1,000 and \$3,500, depending on whether she met metrics relating to how many doors she knocked on daily and how many completed repairs resulted from her efforts. The employer also reimbursed claimant for mileage.

(4) When claimant began working for the employer, she generally was not required to drive more than 30 minutes outside of Eugene, Oregon to make her required customer calls. However, after a few months, the employer expanded claimant's territory to include areas as far north as Salem, Oregon, as far south as Roseburg, Oregon, and as far west as the Oregon coast. As a result, claimant's daily driving time increased significantly. Claimant was frustrated by this development because, among other things, the longer driving distances meant that it was harder for her to meet the metrics that determined how much of a bonus, if any, she would receive.

(5) During the course of her employment, claimant regularly experienced trouble with being able to access the employer's system that she used to submit her timecard and mileage reimbursements. As a result, claimant frequently was paid or reimbursed late. Claimant believed that her difficulty with accessing the program was the result of her supervisor intentionally locking her out of the account. At one point during her struggles, claimant asked the supervisor for help with this issue, to which he responded, "I'm gonna let you figure this one out on your own." Transcript at 15.

(6) In or around early January 2026, claimant spoke to the employer's human resources (HR) department about the possibility of transferring to a different position within the company because she was not happy in her role, but the HR representative was not able to offer claimant any help in that regard.

(7) In or around March 2026, claimant spoke to the HR representative again, expressed concerns about how the routes she was driving were affecting her metrics and ability to earn her bonuses, and requested to be assigned to a different supervisor. The HR representative told claimant that it would not be possible to reassign her and did not otherwise offer claimant help.

(8) On or around April 1, 2026, the Salesforce app received a required update. This update "stripped [claimant's] ability to create [her] own routes," instead leading her to "follow routes that [she] was given." Transcript at 14. As a result, claimant's routes were less efficiently planned, and she was not able to make as many customer contacts, which affected her performance metrics further.

(9) In or around the week of April 6, 2026, claimant spoke to her supervisor about her issues with the recent update to the Salesforce app. The supervisor spent about an hour on the phone with claimant attempting to help claimant with the issue, but claimant did not feel that the issue was satisfactorily resolved.

(10) On or around April 13, 2026, claimant spoke to the HR representative about the issue with the app update, but the representative was not able to immediately provide claimant with a solution. The representative instead suggested that she and claimant meet with claimant's supervisor to discuss

claimant's concerns. Claimant expressed opposition to this idea because she felt that her supervisor "dislike[d]" her because of the recurring issue of being locked out of the timekeeping account. Transcript at 15.

(11) On April 17, 2026, claimant again spoke to the HR representative about her ongoing issues, and the HR representative told claimant that she would be bringing in claimant's supervisor so that the three could "align" on these issues. Transcript at 16. Claimant was "very upset" at this prospect, as she felt that her supervisor would not be able to help but would instead retaliate against her, and did not agree to meet with her supervisor. Transcript at 16. On April 17, 2026, claimant quit working for the employer.

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 on April 17, 2026 after declining to meet with her supervisor and the HR representative that day to discuss the ongoing concerns claimant had about some of her working conditions. The record shows that claimant had several such concerns, including difficulties with logging into her timekeeping account so that she could be timely paid and reimbursed for mileage; a related belief that her supervisor disliked her or was retaliating against her; and difficulties relating to a recent Salesforce app update that made it more difficult for her to create efficient driving routes. At hearing, however, claimant testified that it was the app update, some two weeks before she quit, which "brought things to a head" and led her to quit. Transcript at 14. Given that the other issues had been ongoing for some time, and the proximity of the app update to her decision to quit, this was, more likely than not, the proximate cause of her decision to quit when she did, and therefore the proper focus of the good-cause analysis.

Claimant did not meet her burden to show that she quit for a reason of such gravity that she had no reasonable alternative but to quit. Claimant was concerned that the app update impacted her ability to create efficient routes that would allow her to meet her performance metrics and therefore earn her bonuses. However, failing to earn a bonus while one is otherwise being paid a base wage is not a grave situation. Further, it is not clear from the record as to whether any workarounds might have been available to resolve this issue. For instance, even if the app update "stripped [claimant's] ability to create [her] own routes," claimant did not show that the employer actually required her to follow the inefficient routes that the updated app plotted for her. Neither did claimant show that she would have been prevented from taking the list of addresses from the leads she was given, plotting a more efficient route in another app (such as Google Maps or Apple Maps), and then following that route. Neither did claimant show that doing so would have been unduly burdensome.

Similarly, despite claimant's suggestions to the contrary, the record does not show by a preponderance of the evidence that claimant's supervisor actually disliked her, had been retaliating against her, or

otherwise would have been unwilling to help her further had she agreed to meet with him and the HR representative on the day she quit. At hearing, claimant testified that her supervisor spent approximately an hour on the phone with her the week after the app update was rolled out to help her resolve the issues she was having, “tried to show [her] some other things in the app that [she] had never seen before,” and also introduced claimant to another app that had some similar features. Transcript at 21. Even though it is evident from the record that claimant did not find these to be solutions to her problem, the supervisor’s effort here nevertheless shows that he was, more likely than not, willing to continue helping claimant with the issues she was having.

By contrast, claimant’s belief that her supervisor disliked her or was retaliating against her was apparently based on her recurring issue with logging into her timekeeping account, which claimant suspected was due to the supervisor intentionally locking her out of the account. However, claimant did not provide convincing evidence, or even a clear explanation, to support her belief that her supervisor was intentionally sabotaging her ability to submit her timecards or mileage reimbursements. As such, the preponderance of the evidence shows that, claimant’s suspicions about the supervisor notwithstanding, attempting to seek further help from the supervisor would have been a reasonable alternative to quitting.

In sum, claimant’s circumstances relating to the app update and resultingly less efficient routes were not grave, and she failed to pursue reasonable alternatives to addressing those issues. Finally, it should be noted that claimant did not show that she derived any actual benefit from quitting. Even though it is clear that she was frustrated by her difficulties in meeting the performance metrics that would allow her to earn her bonuses, it can be reasonably presumed that claimant would have been better off earning at least her base wage. Because claimant did not show that any negative effects of her working circumstances were abated by quitting, or that she derived any other type of benefit from quitting, she quit without good cause. *See 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).

For the above reasons, claimant did not quit work for a reason of such gravity that she had no reasonable alternative but to quit. Claimant therefore quit work without good cause and is disqualified from receiving benefits effective April 12, 2026.

DECISION: Order No. 26-UI-334674 is affirmed.

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

DATE of Service: August 27, 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 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.

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