

DECISION DIGEST

Actual cases and rulings from Princeton Claims Management

NJHA
HEALTHCARE
BUSINESS SOLUTIONS

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Resignation to Advance One's Education Is Disqualifying

Background

A certified nurse aide (employee) resigned from her hospital job because her hours of work conflicted with her school schedule. Upon hire, the employee advised the employer she intended to pursue a career as a registered nurse. The claimant was hired for three 12 hour shifts. After more than two years of working the schedule she was hired for, the employee requested a reduced schedule to complete a required clinical rotation. Unfortunately, the employer was unable to accommodate her request and the employee felt she had no other option but to resign. The employee worked throughout her notice period, thus making her eligible for rehire.

Process

The former employee (claimant) filed an unemployment claim and was held disqualified for quitting "without good cause attributable to such work." She filed an appeal arguing that she should be eligible because she was "improving herself and society."

The claimant, her nurse manager and the employer's agent, Princeton Claims Management, participated in the hearing. The claimant testified that she resigned to advance her education, which should be viewed favorably by the UI Law because she would be working in a field that benefited others. She further contended that she had no choice because the employer refused to accommodate her request for reduced hours. The employer argued it was under no obligation to change the claimant's work schedule because of a conflict with her school schedule.

Judgment

While the Appeal Tribunal examiner was sympathetic to the claimant's situation, it could not ignore the law, which considers leaving under these circumstances personal and not related to the work. Furthermore, she opined a claimant who leaves work in order to further her education and attempts to claim unemployment benefits is, "in a sense, requesting the Unemployment Fund to subsidize her education . . . and the Unemployment Compensation Law envisages no such use of the fund." Therefore, her resignation constituted a voluntary leaving disqualification because she failed to substantiate "good cause" attributable to the work under NJSA 43:21-5(a).

While leaving one's job to advance her career is certainly admirable, it is a personal decision to leave continuing work, which is disqualifying under the NJ UI Law, as benefits were not intended to finance one's education.

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