

DECISION DIGEST

Actual cases and rulings from Princeton Claims Management

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“Good Cause” Substantiated for Leaving Work

Background

A hospital program coordinator (employee) voluntarily resigned due to her perception of a hostile work environment. This employee supervised a van driver who shuttled employees throughout the hospital campus. The van driver had been formally disciplined for erratic driving, unprofessional behavior and inappropriate remarks. Despite coaching and warnings over several months, the driver’s performance declined. Frustrated by the driver’s lack of respect, the program coordinator became concerned for her own safety and escalated the situation to her director. Despite the director’s intervention, the driver’s behavior did not improve, so the coordinator resigned without notice.

Process

The former employee (claimant) filed an unemployment claim and was held disqualified for voluntarily leaving work without good cause. During the fact-finding interview with a deputy, the claimant acknowledged she quit without notice and did not explore all available alternatives as required under N.J.S.A. 43-21(a). The claimant contended she sought the assistance of her director and when nothing changed, she had no choice but to quit. The claimant disagreed with the disqualification and filed an appeal to the next level.

The claimant and employer witness with Princeton Claims Management appeared for the hearing. Both parties agreed that the claimant resigned without notice and was not in any danger of discharge. The claimant testified that she was at her “wits’ end and beyond stressed” with the van driver’s behavior and did not think things would improve. The employer’s witness who was the claimant’s director testified that she took the complaints seriously. She conducted a thorough investigation of interviews with the van driver and other associates. The van driver denied bad behavior and alleged that the claimant was trying to get him fired. Additional interviews failed to substantiate any inappropriate behavior and appeared to be a “she said – he said” situation. The director reminded the van driver of the employer’s expectation to treat others with respect and adhere to the code of conduct. The employer found no evidence of a hostile work environment and argued the claimant had other options she could have explored before quitting. Since she failed to do so, the employer concurred with the deputy’s determination that the claimant did not establish good cause for leaving work under N.J.S.A. 43:21-5(a).

Judgment

The Appeal Tribunal examiner found the claimant’s testimony credible and held that she met her burden to substantiate good cause attributable to the work for leaving. In the examiner’s decision she relied on case law which defines “good cause” as “compelling, reasonable, material and substantial.” Since the claimant’s reason for leaving was “compelling and reasonable” the examiner opined she met the burden of establishing good cause and reversed the determination and held her eligible. The employer accepted the decision and did not appeal further.

This case illustrates that eligibility for UI Benefits, even if an individual doesn’t explore all alternatives to leaving before becoming unemployed, may be considered, if the reasons are compelling and material.

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