



APPEAL TRIBUNAL DECISION

Docket number: 25 0290 **Hearing date:** May 15, 2025

CLAIMANT:

GERALYN CARINO
[REDACTED]

EMPLOYER:

SOUTHCENTRAL FOUNDATION
[REDACTED]

CLAIMANT APPEARANCES:

GERALYN CARINO

EMPLOYER APPEARANCES:

JOHN DONEY

CASE HISTORY

The claimant timely appealed an April 9, 2025, determination that denied benefits under Alaska Statute 23.20.379. The issue before the Appeal Tribunal is whether the claimant voluntarily quit suitable work without good cause.

FINDINGS OF FACT

The claimant began working for the employer in December 2020. She last worked on January 31, 2025, as a full-time certified medical assistant supervisor.

In early January 2025, the claimant was accepted into a nursing school program with Charter College that began on March 24, 2025. The claimant felt she could not attend school and work as a supervisor. She intended to find a less intensive position so she could continue working while attending school.

The claimant planned a two-week trip to the Philippines to obtain a copy of her high school diploma she required for the training. She chose not to request a leave of absence. The claimant notified the employer that her last day would be January 31, 2025, since her trip was planned for February 2, 2025.

Towards the end of her notice, the claimant had a job interview with the employers' pediatrics department. The hiring supervisor informed the claimant that her application had to be approved by the human resources department before they could offer her the job or give her a start date. The claimant felt from her interactions with the hiring supervisor that she would be offered the job. However, after she returned from her trip the hiring supervisor told her they made a different choice.

PROVISIONS OF LAW

AS 23.20.379 provides in part:

- (a) An insured worker is disqualified for waiting-week credit or benefits for the first week in which the insured worker is unemployed and for the next five weeks of unemployment following that week if the insured worker...
 - (1) left the insured worker's last suitable work voluntarily without good cause....

8 AAC 85.095 provides in part:

- (c) To determine the existence of good cause under AS 23.20.379(a)(1) for voluntarily leaving work determined to be suitable under AS 23.20.385, the department will consider only the following factors:
 - (1) leaving work due to a disability or illness of the claimant that makes it impossible for the claimant to perform the duties required by the work, if the claimant has no other reasonable alternative but to leave work;
 - (2) leaving work to care for an immediate family member who has a disability or illness;
 - (3) leaving work due to safety or other working conditions or an employment agreement related directly to the work, if the claimant has no other reasonable alternative but to leave work;
 - (4) leaving work to accompany or join a spouse at a change of location, if commuting from the new location to the claimant's work is impractical; for purposes of this paragraph, the change of location must be as a result of the spouse's
 - (A) discharge from military service; or
 - (B) employment;
 - (5) leaving unskilled work to attend a vocational training or retraining course approved by the director under AS 23.20.382, only if the claimant enters the course immediately upon separating from work;
 - (6) leaving work in order to protect the claimant or the claimant's immediate family members from harassment or violence;
 - (7) leaving work to accept a bonafide offer of work that offers better wages, benefits, hours, or other working conditions; if the new work does not materialize, the reasons for the work not materializing must not be due to the fault of the worker;
 - (8) other factors listed in AS 23.20.385(b).

AS 23.20.385(b) provides, in part:

- (b) In determining whether work is suitable for a claimant and in determining the existence of good cause for leaving or refusing work, the department shall, in addition to determining the existence of any of the conditions specified in (a) of this section, consider the degree of risk to the claimant's health, safety, and morals, the claimant's physical fitness for the work, the claimant's prior training, experience, and earnings, the length of the claimant's unemployment, the prospects for obtaining work at the claimant's highest skill, the distance of the available work from the claimant's residence, the prospects for obtaining local work, and other factors that influence a reasonably prudent person in the claimant's circumstances.

CONCLUSION

A worker may give two or more reasons for quitting work. However, the one reason that was the precipitating event is the real cause of the quit, with the other reasons being incidental. In many cases, the quit is in fact caused by a combination of factors, but, although the other factors contributed to the worker's overall dissatisfaction, the worker would not have quit at the particular time, had it not been for the precipitating event. In such cases, good cause depends on the precipitating event.

Good cause for quitting work can be established if a claimant quits unskilled work to attend vocational training only if the claimant enters the training immediately after separating from work. In this case, the claimant quit work several weeks before the training started.

Leaving work to accept an actual offer of work that offers better wages, benefits, hours, or other working conditions may also be compelling. However, in this case, the claimant had a reasonable belief she would get the job, but she was not offered the job. Furthermore, the claimant gave notice to quit before she even interviewed for the position.

Although the claimant's decision to quit work was based on her intent to begin training, the reason she chose to end her employment on January 31, 2025, was to accommodate her trip to the Philippines.

Therefore, good cause for quitting work has not been established.

DECISION

The determination issued on April 9, 2025, is **AFFIRMED**. Benefits remain **DENIED** for the weeks ending February 8, 2025, through March 15, 2025. The three weeks are reduced from the claimant's maximum benefits. The claimant may not be eligible for extended benefits under AS 23.20.406-409.

APPEAL RIGHTS

This decision is final unless an appeal is filed in writing to the Commissioner of Labor and Workforce Development **within 30 days** after the decision is mailed to each party. The appeal period may be extended only if the appeal is delayed for circumstances beyond the party's control. A statement of rights and procedures is enclosed.

Dated and mailed May 21, 2025.

A black rectangular box redacting the signature of Justin Karaffa.

Justin Karaffa, Appeals Officer