

VIRGINIA EMPLOYMENT COMMISSION

DECISION OF COMMISSION

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Decision No. :6224-C

VOLUNTARY LEAVING: 5
General

Date: March 21, 1974

This is a matter before the Commission on appeal by the claimant from the decision of the Examiner (No. UI-74-189) dated February 8, 1974.

ISSUE

Did the claimant voluntarily leave her last employment without good cause within the meaning of Section 60.1-58(a) of the Code of Virginia (1950), as amended?

FINDINGS OF FACT AND OPINION

The findings of fact of the Appeals Examiner are adopted by the Commission.

Additionally, information submitted by the claimant stated that after she had verbally tendered her resignation, she found out that she could continue to work. She approached her employer with this information, but was told that he had already informed his superiors of her resignation.

Certainly, it appears that her employer acted upon her previous resignation and the matter was beyond his hands. He later attempted to assist the claimant by offering her employment on the second shift where a position was vacant. However, the claimant could not accept this offer.

The motivating factor in the claimant's unemployment was her verbal resignation which she tendered the employer rather than his refusal to accept its rescission. This verbal resignation was entirely voluntary and for personal reasons which did not constitute good cause. Accordingly, it must be concluded that the claimant's unemployment resulted from a voluntary leaving without good cause. (Underscoring supplied)

DECISION

The decision of the Appeals Examiner disqualifying the claimant effective December 23, 1973, for having left work voluntarily without good cause is hereby affirmed, and remains in effect for any week benefits are claimed until she has performed services for an employer during thirty days, whether or not such days are consecutive.