

**THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY**

MARY JOHNSON,)	
Appellant,)	
)	
v.)	
)	C.A. No.: 10A-11-012 FSS
CHRISTIANA CARE HEALTH SVC.)	
and)	
UNEMPLOYMENT INSURANCE)	
APPEAL BOARD,)	
Appellees.)	

Submitted: October 4, 2011
Decided: October 28, 2011

ORDER

**Upon Appeal From the Unemployment Insurance Appeal Board –
*AFFIRMED***

1. It appears that Appellant was a long-time, reliable employee of Christiana Care. Unfortunately, someone attempted to kill her daughter in their home, so Appellant hastily left her job and moved to another state. Significantly, when Appellant left, she gave her employer a letter of resignation.

2. During the August 30, 2010, administrative hearing before the Unemployment Insurance Appeal Board’s Chief Appeal Referee, Appellant testified:

I didn't abandon the job. I felt although this was the only decision I could make. You know I have been at the job. . . . going on thirteen years. I liked my job. And I quickly had to start my life over.

3. When an employee resigns, in effect she gives up her claim for unemployment insurance benefits.¹ That is true unless the resignation was for good cause related to the conditions of her employment. Good cause does not mean, as a matter of law, the employee made a sound decision on things happening in her life that were unrelated to her work.²

4. The court suspects that the Board and even Christiana Care were sympathetic to Appellant's predicament. The court certainly is. The assailant's prosecutor stands behind her, too. Nevertheless, Appellant's decision to leave her job, even after thirteen years and for good personal reasons, was her decision. Simply put, Appellant's resignation was in no way attributable to her work.

¹ See 19 Del. C. § 3314(1) ("An individual shall be disqualified for benefits [when] the individual left work voluntarily without good cause attributable to such work.")

² *Thompson v. Christiana Care Health System*, 25 A.3d 778, 783 (Del. 2011) ("In [an unemployment compensation] context, good cause is established where an employee voluntarily leaves employment for reasons . . . within the employer's control and under circumstances in which no reasonably prudent employee would have remained."); see also *White v. Security Link*, 658 A.2d 619, 622 (Del. Super. 1994) ("Claimant's resignation [cannot] be attributable to actions taken by her or any third party.").

5. In light of above, it appears that the Board's decision was consistent with the undisputed facts and the Board applied the law correctly.

For the foregoing reasons, the Board's November 7, 2010 decision is

AFFIRMED.

IT IS SO ORDERED.

/s/ Fred S. Silverman

Judge

cc: Prothonotary (Civil Division)

Ms. Mary Johnson, *Pro Se*

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James H. McMackin, III, Esquire - Christiana Care Health Svc.

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