

|->

Title 22@ Social Security

|->

Division 1@ Employment Development Department

|->

Subdivision 1@ Director of Employment Development

|->

Division 1@ Unemployment and Disability Compensation

|->

Part 1@ Unemployment Compensation

|->

Chapter 5@ UNEMPLOYMENT COMPENSATION BENEFITS

|->

1256-11 Voluntary Leaving - Good Cause - Domestic

Article 1@ ELIGIBILITY AND DISQUALIFICATIONS

|->

Section 1256-11@ Voluntary Leaving - Good Cause - Domestic Circumstances - Minor

(a)

A claimant leaves the most recent work with good cause if, as an unemancipated minor, he or she is compelled by his or her parent to accompany the parent to another locality, making it impossible or impractical for the claimant to continue commuting to his or her place of employment. Sections 1256-1, 1256-2, 1256-3, 1256-8, and 1256-9 of these regulations set forth general principles also applicable under this section, including the definition of "family" and related interpretation of "parent" under Section 1256-9 of these regulations.

(b)

A minor is unemancipated if the minor's parents have not expressly or impliedly relinquished their right to control the minor's place of residence. The minor-claimant is compelled to follow his or her parent's orders, including the right of a parent to determine his or her child's place of residence. On the other hand, if a minor is emancipated, the minor-claimant does not have good cause for voluntarily leaving work since he or she is not legally compelled to follow his or her parent's orders. However, "emancipation" of a child by his or her parents can be conditional or absolute, or complete or partial. For example, the minor-claimant may have to fulfill certain conditions, such as obtain a minimum wage-earning job in order to be self-sustaining, before the parents will relinquish complete control

over the minor. Or, the minor-claimant may have only some activities typical of adulthood, such as entering and leaving the parental home at will, keeping or spending his or her earnings at will, or managing his or her affairs for the most part, but still be reliant, generally, on his or her parent for overall care and supervision. Thus, where the minor-claimant is only partially or conditionally emancipated, the important issue is whether that minor's parents have relinquished complete control over his or her place of residence. If so, then the minor-claimant who voluntarily leaves work does so without good cause.