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Title 22@ Social Security

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Division 1@ Employment Development Department

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Subdivision 1@ Director of Employment Development

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Division 1@ Unemployment and Disability Compensation

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Part 1@ Unemployment Compensation

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Chapter 5@ UNEMPLOYMENT COMPENSATION BENEFITS

**1256-18 Voluntary Leaving -Good Cause -Personal Affairs**

Article 1@ ELIGIBILITY AND DISQUALIFICATIONS

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Section 1256-18@ Voluntary Leaving -Good Cause -Personal Affairs

**(a)**

Scope. This section relates to voluntary leaving of the most recent work due to personal affairs concerning financial difficulties, legal and business affairs, rest or vacation, return to a former home, or self-advancement or self-employment. An exhaustive listing of all types of personal affairs which may cause an individual to leave work is not feasible. However, the principles stated apply to the conduct of personal affairs generally. In addition, other regulations also deal with personal affairs, such as Sections 1256-9 to 1256-12 of these regulations on leaving due to domestic circumstances. Sections 1256-1, 1256-2, and 1256-3 of these regulations set forth general principles also applicable under this section.

**(b)**

Financial Difficulties. An individual who leaves work due to financial difficulties has left work without good cause unless there are compelling circumstances to establish that a reasonable person genuinely desirous of retaining employment would have left the work. **EXAMPLE 1.** A left the work because A was being harassed by creditors and did not wish to work and turn over A's pay to the creditors. A's leaving of work due to financial difficulties was without good cause since avoiding payment of debts is not a compelling circumstance. **EXAMPLE 2.** B had an infectious skin disease and needed funds for medical care. B could obtain money due B under the employer's annuity plan only by resigning. B resigned and

received the money for medical care. B's leaving was with good cause due to the compelling need for funds for medical treatment B could obtain in no other way.

**(c)**

Legal and Business Affairs. An individual who leaves work to attend to legal or business affairs has left work without good cause unless there are compelling circumstances requiring the individual's personal attention and the affairs cannot be handled by obtaining a leave of absence. EXAMPLE 3. C, a cook, was scheduled to work on a ship for an extended trip. While on shore leave prior to the trip, C was served with subpoena in a divorce proceeding. The proceeding could not be continued. It would substantially affect C's property rights. C informed the ship's captain, and left the ship to appear in the proceeding. C's leaving was with good cause since C's appearance was necessary for protection against substantial threat to C's property rights, and C could appear only if C left the work. Neither the court proceeding nor the ship's sailing could be delayed.

**(d)**

Rest or Vacation. An individual who leaves work due to a desire to rest or take a vacation has left work without good cause unless the leaving is reasonably necessary for the protection of the individual's health and a leave of absence or transfer to other work was requested but denied or would not have been granted by the employer. (For provisions as to leaving due to health or physical condition, see Section 1256-15 of these regulations.)

**(e)**

Return to Former Home. An individual who leaves work due to a desire to return to a former home has left work without good cause unless there are compelling circumstances to establish that a reasonable person genuinely desirous of retaining employment would have left the work. EXAMPLE 4. D's wife desired to

leave California and return to her former home in Pennsylvania. She told D that she would go and take the children whether D came or not. D objected but chose to give up his California job and return with his family to the former family home in Pennsylvania. D's leaving was with good cause under compelling circumstances to preserve family unity and his marriage.

**(f)**

Self-advancement or Self-employment. An individual who leaves work to look for other work and has no definite offer of or prospects of other work has left work without good cause unless the individual leaves part-time work which makes it impossible to look for full-time work so that the individual can look for full-time work under circumstances where reasonable prospects of other work exist. An individual who leaves work to enter self-employment ordinarily has left work without good cause but leaves work with good cause if the leaving is from temporary work or short-term work to end in the near future and the self-employment provides reasonable assurance that a livelihood will be obtained for a reasonable period of time. (For provisions as to an individual who leaves work and has prospects of other work, see Section 1256-19 of these regulations.)

EXAMPLE 5. E who was an employee in a boat works had an opportunity to engage in self-employed crop dusting two weeks before E would be laid off at the boat works. E left the boat works and engaged in the crop dusting activity for several months. E's leaving of short-term work was with good cause to engage in promising self-employment when confronted with imminent loss of E's job.