

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

The Wright Center for Graduate Medical Education, Petitioner v. Unemployment Compensation Board of Review, Respondent

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: No. 438 C.D. 2025
: Submitted: June 16, 2026
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BEFORE: HONORABLE ANNE E. COVEY, Judge
HONORABLE STACY WALLACE, Judge
HONORABLE STELLA M. TSAI, Judge

OPINION NOT REPORTED

MEMORANDUM OPINION
BY JUDGE WALLACE

FILED: September 1, 2026

The Wright Center for Graduate Medical Education (Employer) petitions for review of the March 4, 2025 order (Order) of the Unemployment Compensation (UC) Board of Review (Board), which reversed the decision of a UC referee (Referee) finding Desiree Natale (Claimant) ineligible for benefits under Section 402(b) of the UC Law (UC Law).¹ After review, we affirm.

BACKGROUND

Employer, a non-profit healthcare organization, employed Claimant full time as a director of patient financials, training, and quality improvements. Certified

¹ Act of December 5, 1936, Second Ex. Sess., P.L. (1937) 2897, *as amended*, 43 P.S. § 802(b).

Record (C.R.) at 150-51. Claimant worked for Employer from February 24, 2020, until March 12, 2024, when Claimant resigned from her position. *Id.* at 150, 164. On March 29, 2024, Claimant applied for UC benefits effective March 24, 2024. *Id.* at 3. The UC Service Center granted Claimant’s application under Section 402(b) of the UC Law.² *Id.* at 20. Employer appealed to the Referee. *Id.* at 62-64.

On August 22, 2024, the Referee held a hearing, at which Claimant and three witnesses for Employer testified. *Id.* at 142. Claimant described her job duties as including supervisory responsibilities “over the collections department” and “over the training of the financial side . . . for the front desk,” as well as running between 4,000 to 5,000 monthly patient statements. *Id.* at 151-52. Claimant specifically noted she had hiring and disciplinary authority over four direct report employees. *Id.* at 152. On January 12, 2024, pursuant to the advice of her doctor, and following a diagnosis of “PTSD, panic attack, and anxiety,” Claimant indicated she began an approved family medical leave of absence. *Id.* at 157. Claimant explained the leave was necessitated due to an incident that week at work where she was intermittently yelled at by her supervisor over the course of a few hours. *Id.* at 155-57.

Claimant returned to work on March 11, 2024. *Id.* at 159. Upon her return, Employer modified Claimant’s job responsibilities, which included removal of Claimant’s supervisory role and several duties. *Id.* Specifically, Employer directed Claimant to focus on patient outreach and enrollment and removed responsibilities regarding patient financials and employee training. *Id.* at 159, 176. Employer did not reduce Claimant’s salary. *Id.* at 159. One Employer witness testified Claimant’s

² Section 402(b) of the UC Law provides an employee is ineligible for UC benefits for any week where her unemployment is the result of her voluntary work departure without a necessitous and compelling cause. 43 P.S. § 802(b).

new role was essentially “what she did prior to when she was promoted.” *Id.* at 176. Claimant emailed Employer to request a meeting to discuss the role change and assignment to a new team. *Id.* at 160, 185. Employer’s chief administrative officer refused a meeting and referred Claimant to her supervisor. *Id.* at 161, 186. Following the March 12, 2024 workday, Claimant began another leave of absence. *Id.* at 165. Claimant resigned on March 28, 2024, the day she was due to return to work. *Id.* Claimant explained she resigned due to health issues, her physician’s advice, and the change in her role. *Id.* at 162-63. Regarding the latter, Claimant testified she felt “absolutely devastated.” *Id.* at 163.

Following the hearing, the Referee found that in response to Claimant’s concerns about her supervisor, Employer modified Claimant’s job duties without a reduction in salary. *Id.* at 208. Additionally, the Referee determined Claimant did not submit any medical documents from her treating physician to Employer until she submitted her resignation notice. *Id.* Based on these findings, the Referee concluded Claimant was ineligible for UC benefits under Section 402(b) of the UC Law because Claimant did not have a necessitous and compelling reason to leave her employment. *Id.*

Claimant appealed to the Board. Following a review of the record, the Board issued its Order reversing the Referee’s decision and granting Claimant UC benefits. *Id.* at 272-73. The Board found “the [C]laimant’s primary job responsibilities included patient billing and collection, as well as supervising and training staff.” *Id.* at 272. However, upon returning to work on March 11, 2024, following an approved leave of absence necessitated by health reasons, Claimant “was informed that her role was being changed, and she would no longer be responsible for billing and collection and would instead be working with the community health worker’s team.”

Id. Further, the Board found even though Claimant notified Employer “that she was dissatisfied with her new role and requested [assignment] to a new team[,]” the only response she received was from Employer’s chief administrative officer who “informed the [C]laimant that he supported management’s decision” to keep her in the new role. *Id.* at 273. The Board determined “[o]n March 28, 2024, the [C]laimant quit due to the change in job responsibilities.” *Id.* The Board credited Claimant’s testimony, including “that along with her health issues and the recommendation from the doctor, she also quit due to the change in her role.” *Id.* The Board explained “[a] claimant need only have one reason that is considered necessitous and compelling to qualify for [UC] benefits.” *Id.* The Board concluded because “many of the [C]laimant’s responsibilities were taken away, and the new role was similar to what the [C]laimant did prior to being promoted, . . . the [E]mployer implemented a substantial and unilateral change[,]” which constituted a necessitous and compelling reason for Claimant to leave her employment. *Id.* Thus, the Board reversed the Referee. Employer appealed.

On appeal, Employer argues the Board erred by finding “that requiring Claimant to focus her job on existing responsibilities central to [Employer’s] business to ensure its compliance with updated federal requirements (which were issued while Claimant was out of work on protected leave) constitute a ‘substantial and unilateral change’” to Claimant’s position amounting to a necessitous and compelling reason for Claimant’s voluntary resignation from employment. Employer’s Br. at 7. In response, Claimant asserts the Board properly concluded Employer’s modification and reduction of her job responsibilities are a “substantial and unilateral change” to Claimant’s employment, sufficient to provide a necessitous and compelling reason for Claimant to quit her employment. Claimant’s Br. at 1.

DISCUSSION

In reviewing a Board's order, this Court considers "whether the findings of fact were supported by substantial evidence, whether constitutional rights were violated, or whether errors of law were committed." *Showers v. Unemployment Comp. Bd. of Rev.*, 64 A.3d 1143, 1146 n.4 (Pa. Cmwlth. 2013). Whether a claimant had a necessitous and compelling reason to terminate her employment is a question of law subject to our plenary review. *Tewell v. Unemployment Comp. Bd. of Rev.*, 279 A.3d 644, 652 (Pa. Cmwlth. 2022). The Board is the ultimate factfinder in unemployment compensation cases and is empowered to make credibility determinations. *McCarthy v. Unemployment Comp. Bd. of Rev.*, 829 A.2d 1266, 1269-70 (Pa. Cmwlth. 2003). So long as the record, taken as a whole, contains substantial evidence to support the Board's findings, those findings are conclusive on appeal. *Henderson v. Unemployment Comp. Bd. of Rev.*, 77 A.3d 699, 718 (Pa. Cmwlth. 2013). Substantial evidence is such "relevant evidence upon which a reasonable mind could base a conclusion." *Id.*

Under Section 402(b) of the UC Law, an employee is ineligible for unemployment compensation benefits if she voluntarily quits her job without a necessitous and compelling cause. 43 P.S. § 802(b). This Court has explained a claimant bears the burden of proving her reason for voluntarily terminating her employment was due to a necessitous and compelling cause. *PECO Energy Co. v. Unemployment Comp. Bd. of Rev.*, 682 A.2d 58, 60 (Pa. Cmwlth. 1996). A necessitous and compelling cause is one that "results from circumstances which produce pressure to terminate employment that is both real and substantial, and which would compel a reasonable person under the circumstances to act in the same manner." *Taylor v. Unemployment Comp. Bd. of Rev.*, 378 A.2d 829, 832-33 (Pa.

1977). To satisfy this burden, a claimant must show (1) the existence of real and substantial pressure to terminate employment; (2) she acted with ordinary common sense; (3) a reasonable person would have acted in the same manner; and (4) she exercised reasonable efforts to preserve her employment. *Greenray Indus. v. Unemployment Comp. Bd. of Rev.*, 135 A.3d 1147, 1151 (Pa. Cmwlth. 2016).

Employer first argues because “no additional work was added,” “real and substantial pressure” did not exist for Claimant to quit her job. Employer’s Br. at 16. It is well settled that an employer’s implementation of a substantial unilateral change in the terms of employment constitutes a necessitous and compelling reason for an employee to voluntarily terminate her employment. *A-Positive Elec. v. Unemployment Comp. Bd. of Rev.*, 654 A.2d 299, 302 (Pa. Cmwlth. 1995). “There is no talismanic percentage for determining a change so substantial as to warrant necessitous cause for terminating employment; ‘rather, each case must be examined under its own attendant circumstances.’” *Brunswick Hotel & Conf. Center, LLC v. Unemployment Comp. Bd. of Rev.*, 906 A.2d 657, 660-61 (Pa. Cmwlth. 2006) (quotation and citation omitted). The focus of the inquiry is the impact upon the employee, rather than the employer’s reason for making the change. *Steinberg Vision Assoc. v. Unemployment Comp. Bd. of Rev.*, 624 A.2d 237, 240 (Pa. Cmwlth. 1993). A change in working conditions alone can also constitute a substantial, and necessitous and compelling reason, for quitting. *See Monaco v. Unemployment Comp. Bd. of Rev.*, 565 A.2d 127, 130 (Pa. Cmwlth. 1989) (“[E]mployees are permitted to collect unemployment benefits after they have voluntarily ceased employment on the grounds that the . . . working conditions have *substantially* changed, to the point that voluntary termination is necessary.” (citation omitted, emphasis in original)).

Here, Employer does not dispute removing several of Claimant's job responsibilities, including all financial duties and her supervisory role over four individuals. At the Referee's hearing, Employer's witness testified Claimant's new role was to "focus on the outreach and enrollment[,]" essentially "what she did prior to when she was promoted." C.R. at 176. Nor does Employer dispute it unilaterally changed Claimant's role while she was on leave, and did not inform her of the change until her return to work on March 11, 2024. In essence, Employer demoted Claimant. Thus, this substantial change in her working conditions, even without a reduction in salary, constituted a substantial, and a necessitous and compelling reason for quitting. *See Monaco, supra*.

Employer next contends the facts of this matter would not compel a reasonable person to quit. Employer's Br. at 18. Employer asserts it is entitled to modify the duties of a job, so long as the modifications are reasonable and in good faith. *Id*. However, an employee can still demonstrate working conditions substantially changed, to the point that resignation is necessary. *See Monaco, supra*. Moreover, Employer's argument incorrectly concentrates on the alleged reasonableness of shifting Claimant's role due to a change in federal billing, *see* Employer's Br. at 17, rather than on the impact to Claimant, *see Steinberg Vision, supra*. Properly focusing on the latter reveals a demotion that "absolutely devastated" Claimant. C.R. at 163. Thus, Employer's argument regarding the change in federal billing as its motivation for changing Claimant's job is irrelevant. We conclude Claimant endured circumstances that would have also caused a reasonable person to quit. *See Brunswick Hotel, supra*.

Finally, Employer contends Claimant did not act with ordinary common sense or make reasonable efforts to preserve her employment. Employer's Br. at 21-26.

Specifically, Employer argues Claimant “abruptly quit her job after two days back” and “made only one attempt to discuss her changed job focus.” *Id.* at 22. Because Employer unilaterally implemented Claimant’s role change, Employer cannot deny it was unaware of Claimant’s concerns. The record demonstrates as soon as Claimant learned of the change, she complained promptly, requested a meeting and sought reassignment to a different team. C.R. at 160, 185. However, Employer’s chief administrative officer denied her request, referring her instead to her supervisor. *Id.* at 161, 186. Having already made her concerns known to Employer’s chief administrative officer, Claimant was not required to perform the futile act of making the same complaint to her lower-level supervisor before quitting. *See Mauro v. Unemployment Comp. Bd. of Rev.*, 751 A.2d 276, 279 (Pa. Cmwlth. 2000) (this Court has never required a claimant to perform a “futile act” in the context of establishing that she acted with ordinary common sense and made a reasonable effort to preserve her employment (quotation omitted)). Thus, Employer’s argument is without merit.

Because Claimant established all four factors, the Board did not err in concluding Employer’s substantial and unilateral change to the terms of her employment provided her with a necessitous and compelling reason to terminate her employment. The Board’s findings are supported by substantial evidence and therefore are conclusive on appeal.

CONCLUSION

For the reasons set forth above, we conclude the Board did not err in determining Claimant was eligible for UC benefits under Section 402(b) of the UC Law, 43 P.S. § 802(b). Accordingly, we affirm the Board's Order.

STACY WALLACE, Judge

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The Wright Center for Graduate	:	
Medical Education,	:	
Petitioner	:	
	:	
v.	:	No. 438 C.D. 2025
	:	
Unemployment Compensation	:	
Board of Review,	:	
Respondent	:	

ORDER

AND NOW, this 1st day of September 2026, the March 4, 2025 order of the Unemployment Compensation Board of Review is **AFFIRMED**.

STACY WALLACE, Judge