

Note: Decisions of a three-justice panel are not to be considered as precedent before any tribunal.

ENTRY ORDER

SUPREME COURT DOCKET NO. 2001-391

MARCH TERM, 2002

Sherry E. Vukoder	}	APPEALED FROM:
	}	
v.	}	Employment Security Board
	}	
Department of Employment & Training	}	
IBM	}	DOCKET NO. L-05-01-080-20
	}	
	}	
	}	
	}	

In the above-entitled cause, the Clerk will enter:

Claimant Sherry E. Vukoder appeals from the Vermont Employment Security Board's decision upholding the Department of Employment and Training's denial of her request for unemployment benefits. We affirm.

Claimant filed her claim for unemployment benefits on April 20, 2001. The claims adjudicator found that claimant had left her most recent job voluntarily without good cause attributable to her employer, and thus was disqualified from receiving benefits until she earned wages in excess of six times her weekly benefit amount. Following hearings, that determination was upheld first by the appeals referee and then by the Board.

On appeal, claimant has filed a two-page letter in which she asks this Court to order the Department to provide her with unemployment benefits for the period between April and October 2001. Rather than attempt to explain either how the Board erred in rejecting her claim or why she is entitled to benefits, claimant essentially makes a plea for help. Unfortunately, she is plainly not entitled to benefits for the period in question under the applicable statute. Section 1344(a)(2)(A) of Title 21 provides that a person who voluntarily leaves the employ of her last employing unit "without good cause attributable to such employing unit" is disqualified from receiving unemployment benefits until she can demonstrate that she has earned more than six times what her weekly benefit amount would have been had she been entitled to benefits. It is undisputed here that claimant left her job for personal reasons not in any way attributable to her employer. It is also undisputed that claimant's earnings during the period for which she seeks benefits were insufficient to purge her disqualification from receiving unemployment benefits due to her having left her job voluntarily without good cause attributable to her employer. Therefore, she is not entitled to benefits during that period. See Spaulding v. Dep't of Employment Security, 139 Vt. 562, 565 (1981) (individual who

voluntarily chose to quit his job for personal reasons not attributable to his employer subjected himself to statutory disqualification).

Affirmed.

BY THE COURT:

Jeffrey L. Amestoy, Chief Justice

John A. Dooley, Associate Justice

Denise R. Johnson, Associate Justice