

Employee Complaints: Court Sees No Forced Resignation, Rules Nurse Quit Voluntarily.

A registered nurse worked for a community blood bank as the trainer for phlebotomists and apheresis techs for almost twenty years before she tendered her resignation and quit.

She had been complaining to her supervisor about working conditions and safety issues. The court record in the Superior Court of New Jersey, Appellate Division, did not go into the details except for the complaint which brought on her resignation. She was told to add three individuals to a training class of ten, making thirteen, a number which she felt was unsafe.

Several of her other complaints were pending before the center's quality assurance committee, of which she was a member, at the time she resigned rather than compromise safety issues.

The employee's failure to discuss her grievances with management because she feared retaliation is not justified.

She did not take reasonable steps to resolve her complaints with her superiors prior to tendering her resignation.

Under the circumstances she quit voluntarily without good cause attributable to her employment.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
May 20, 2008

The state unemployment office at first approved her compensation on the grounds hers was a forced involuntary resignation. The Superior Court, Appellate Division, however, ruled she quit her job voluntarily.

The court pointed out the nurse did not follow through completely in an effort to work out her grievances. Nor did she ever inform her supervisor she was dissatisfied with the process by which her grievances were being handled. The nurse did not go over her supervisor's head to a corporate vice president or the CEO. The safety issues she had raised were passed in favor of her former employer by the myriad state and Federal agencies which regulate and inspect the facility. **Stroli v. Board of Review, 2008 WL 2122336 (N.J. App., May 20, 2008).**