

COMMONWEALTH COURT OF PENNSYLVANIA

Le Tran v. Unemployment Compensation Board of Review

Tran · No. 1631 C.D. 2024 · Decided November 4, 2025

SUMMARY

The Pennsylvania Commonwealth Court considers Le Tran’s challenge to the denial of unemployment compensation benefits after determining that she voluntarily quit her employment with Penn Asian Senior Services. The court addresses the admission of employer witnesses’ testimony, the effect of a text message from an employer representative, and a signed form indicating that Tran wanted only assignments caring for her mother. The court affirms the Board of Review’s determination.

CASE DETAILS

COURT	Commonwealth Court of Pennsylvania
WRITING FOR THE COURT	Christine Fizzano Cannon; Anne E. Covey; Lori A. Dumas
JURISDICTION	Commonwealth Court of Pennsylvania
DECIDED	November 4, 2025
DOCKET	1631 C.D. 2024
DISPOSITION	affirmed
PROCEDURAL POSTURE	Petition for review of the Unemployment Compensation Board of Review's order affirming a referee's denial of unemployment compensation benefits.
STANDARD OF REVIEW	The Court reviews whether necessary findings of fact are supported by substantial evidence, whether errors of law were committed, or whether constitutional rights were violated. The Board is the ultimate factfinder and determines evidentiary weight; the Court may not reweigh evidence or substitute its findings for those of the Board, although the Board's legal conclusions remain subject to review.
PRECEDENTIAL VALUE	Published opinion; precedential value under Pennsylvania appellate practice is not otherwise specified in the opinion text.
PARTIES	Le Tran v. Unemployment Compensation Board of Review

TOPICS

- unemployment benefits
- judicial review of agency action
- administrative law
- evidence
- appellate procedure

PRACTICE AREAS

administrative law

employment law

unemployment compensation

evidence

QUESTIONS PRESENTED

1. Whether the referee properly continued the unemployment hearing and permitted employer witnesses to testify at the resumed proceeding.
2. Whether the Board erred in determining that Tran voluntarily quit rather than being terminated based on the July 1, 2022, text message.
3. Whether the Board properly relied on Tran's signed employment-election form as an admission and evidence that she had declined future assignments.
4. Whether the Board's determination constituted capricious disregard of competent evidence.

HOLDINGS

1. The referee had proper cause to continue the hearing to allow the protection-from-abuse matter to be resolved, and any error in allowing the employer's witnesses to testify at the resumed hearing was not reversible because the Board expressly disregarded that testimony and relied on evidence admitted at the initial hearing.
2. The Board properly determined that Tran voluntarily quit and was therefore ineligible for unemployment compensation because she did not take reasonable steps to preserve the employment relationship or request alternative employment after she could no longer care for her mother.
3. The signed employment-election form was admissible as Tran's opposing-party admission and constituted competent substantive evidence without additional corroboration under the Walker Rule.
4. The Board did not capriciously disregard evidence because it identified and credited Tran's testimony acknowledging her signature, disregarded the employer witnesses' testimony, and Tran did not present overwhelming evidence establishing that she took the required steps to preserve employment.

KEY QUOTATIONS

"The Board's determination that she voluntarily quit and is not eligible for benefits was supported by the record, and we may not disturb it on review." (18)

FACTUAL BACKGROUND

Tran worked as a home health aide for Penn Asian Senior Services and initially cared for her mother. After a protection-from-abuse order prevented Tran from entering her mother's home, she no longer performed that assignment. Tran had signed an employment form stating that she did not want future assignments after the initial assignment ended, and the Board credited her testimony acknowledging that the signature was hers. Tran did not notify the employer that she wanted assignments with other clients, and the Board concluded that she voluntarily quit rather than being terminated.

PROCEDURAL HISTORY

The UC Service Center determined that Tran voluntarily quit and denied benefits. After a hearing, the referee affirmed, finding that Tran declined work for other clients after a protection-from-abuse order prevented her from caring for her mother. The Board agreed that testimony from two employer witnesses should not be considered but relied on Tran's signed employment-election form and affirmed. Tran petitioned the Commonwealth Court for review.

DISPOSITION

affirmed

CASES CITED

- Primecare Med., Inc. v. Unemployment Comp. Bd. of Rev., 760 A.2d 483, 488 (Pa. Cmwlth. 2000)
- Waste Mgmt. v. Unemployment Comp. Bd. of Rev., 651 A.2d 231, 235 n.4 (Pa. Cmwlth. 1994)
- Johns v. Unemployment Comp. Bd. of Rev., 87 A.3d 1006, 1009 n.2 (Pa. Cmwlth. 2014)
- Spence v. Unemployment Comp. Bd. of Rev., 29 A.3d 117, 118-19 (Pa. Cmwlth. 2011)
- Constantini v. Unemployment Comp. Bd. of Rev., 173 A.3d 838, 842-43 (Pa. Cmwlth. 2017)
- Chartiers Cmty. Mental Health & Retardation Ctr. v. Unemployment Comp. Bd. of Rev., 134 A.3d 1165, 1173 (Pa. Cmwlth. 2016)
- McCarthy v. Unemployment Comp. Bd. of Rev., 829 A.2d 1266, 1270 (Pa. Cmwlth. 2003)
- Fekos Enters. v. Unemployment Comp. Bd. of Rev., 776 A.2d 1018, 1021 (Pa. Cmwlth. 2001)
- Hosp. Serv. Ass'n of Ne. Pa. v. Unemployment Comp. Bd. of Rev., 476 A.2d 516, 518 (Pa. Cmwlth. 1984)
- Dickhoff v. Unemployment Comp. Bd. of Rev., 449 A.2d 807, 810 n.2 (Pa. Cmwlth. 1982)
- Hohl v. Unemployment Comp. Bd. of Rev., 261 A.3d 622, 627 (Pa. Cmwlth. 2021)
- McCarty v. Unemployment Comp. Bd. of Rev., 380 A.2d 1331, 1333 (Pa. Cmwlth. 1978)
- Mroz v. Unemployment Comp. Bd. of Rev., 313 A.3d 1150, 1152 (Pa. Cmwlth. 2024)
- Kirkwood v. Unemployment Comp. Bd. of Rev., 525 A.2d 841, 845 (Pa. Cmwlth. 1987)
- Hauck v. Unemployment Comp. Bd. of Rev., 271 A.3d 961, 967, 970-72 (Pa. Cmwlth. 2022)
- Walker v. Unemployment Comp. Bd. of Rev., 367 A.2d 366, 370 (Pa. Cmwlth. 1976)
- Lancaster Cnty. Child. & Youth Servs. Agency v. Dep't of Hum. Servs., 235 A.3d 402, 411 (Pa. Cmwlth. 2020)
- Estate of Fells by Boulding v. Unemployment Comp. Bd. of Rev., 635 A.2d 666, 669 (Pa. Cmwlth. 1993)
- Bayview Loan Servicing LLC v. Wicker, 206 A.3d 474, 483 (Pa. 2019)
- Dillon v. Unemployment Comp. Bd. of Rev., 68 A.3d 1054, 1059-60 (Pa. Cmwlth. 2013)
- Alessandro v. Workers' Comp. Appeal Bd. (Precision Metal Crafters, LLC), 972 A.2d 1245, 1252 (Pa. Cmwlth. 2009)
- Wise v. Unemployment Comp. Bd. of Rev., 111 A.3d 1256, 1263 (Pa. Cmwlth. 2015)