

**BOARD OF REVIEW**  
**OKLAHOMA EMPLOYMENT SECURITY COMMISSION**  
**P.O. BOX 53345**  
**OKLAHOMA CITY, OK 73152**

Docket No. **15-AT-11030-BR**

In Re: Claim of:

**APPELLANT**

**EMPLOYER**

SSA #

Date of Appeal to Board: **AUGUST 24, 2015**

**OPINION**

The BOARD OF REVIEW considered the findings and decision of the Appeal Tribunal Hearing Officer, , affirming the Commission's determination by finding the claimant was not separated from employment due to compelling family circumstances, and disallowing benefits in accordance with Section 2-210, Title 40, Okla. Stat., as amended. This matter is submitted on the recording of the hearing held before the Appeal Tribunal, the Appeal Tribunal decision, and the records in the offices of the Oklahoma Employment Security Commission, the Appeal Tribunal, and the Board of Review pertaining to this appeal.

The claimant was off work due to an injury. She was released to return to work on May 29, 2015. When she gave her employer the medical release, she was told she could not return to work until she was released by Workers Compensation. The medical release was completed on a Workers Compensation form. The claimant received one more payment from Workers Compensation after her release, and has not received any payments since then. The evidence indicates that she has been released to work, although with restrictions, and the employer has not allowed her to return to work. The claimant has been discharged, but not due to misconduct connected to the work.

**IT IS THEREFORE ORDERED BY THE BOARD OF REVIEW that the decision of the Appeal Tribunal is hereby REVERSED and MODIFIED to show Section 2-406 as the applicable Section of Title 40. The claimant is allowed benefits effective June 14, 2015.**

**COPIES TO: CLAIMANT**  
**EMPLOYER**

**APPEAL RIGHTS**

Within 30 days after the mailing date of this decision, as shown opposite, further written appeal for judicial review may be filed in the District Court of claimant's county of residence or in the District Court of Oklahoma County if claimant is not a resident of Oklahoma, in accordance with Section 2-610, Title 40, Ok. Stat.

**CERTIFICATE OF MAILING**

I certify on 10-30-15 I personally placed copies of this decision in the United States mail in envelopes addressed to the claimant and employer at their respective addresses shown on the decision. Said envelopes were sealed and bore indicia of proper postage paid.