

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

Docket No. **18-AT-02761-BR**

In Re: Claim of:

**APPELLANT**

**EMPLOYER**

Date of Appeal to Board: **FEBRUARY 16, 2018**

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 discharged from his last employment for misconduct connected with the work and denying benefits in accordance with Section 2-406, 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 employed as a general manager. As a part of his duties, he was required to input inventory counts into the company's computer system. The claimant mistakenly transposed the inventory count numbers, which led to an error in the computer's stated inventory. No evidence was presented to show that the employer suffered monetarily from this mistake or that the claimant's mistake was intentional or reckless. As such, the claimant's actions do not rise to the level of misconduct defined in Section 2-406.

IT IS THEREFORE ORDERED BY THE BOARD OF REVIEW that the decision of the Appeal Tribunal is hereby REVERSED. The claimant is allowed benefits effective December 10, 2017.

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 4/13/18 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.