

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

Docket No. 12-AT-02860-BR

In Re: Claim of:

APPELLANT

EMPLOYER

SSA #

Date of Appeal to Board: JANUARY 08, 2012

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 voluntarily left his last employment without good cause connected to the work and disallowing benefits in accordance with Section 2-404, Title 40, Okla. Stat., as amended.

This matter comes for review in its regular order on the assignment docket. It 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 quit his job because he married a woman who is in the Air Force stationed at Tinker Air Force Base. He moved from McAlester to be with his new wife. He asserts that he should be eligible for benefits under Section 2-210(c). That Section states the claimant shall be eligible for benefits if his spouse "was transferred or obtained employment in another city or state . . . and the claimant separates from employment in order to move to the new employment location of the spouse." That does not apply to the claimant's situation because his spouse was not transferred to a new employment location. She was already stationed at Tinker Air Force Base at the time he married her. He also asserted that he should be eligible for benefits under Section 2-210(e), which says the claimant shall be eligible if he separated from employment to move with his spouse to a new location if the spouse was a member of the U.S. Military, was discharged under honorable conditions with a service-connected disability, and took up residence at a location more than 50 miles away from the claimant's former employer for the purpose of reentering civilian life. This situation does not apply to the claimant, either.

After considering all the evidence, the Board of Review concludes that the findings of fact and the conclusion(s) previously adopted by the Appeal Tribunal are applicable, that same should be adopted by the Board of Review as asserted and that the Appeal Tribunal decision should be affirmed.

IT IS THEREFORE ORDERED BY THE BOARD OF REVIEW that the decision of the Appeal Tribunal is hereby AFFIRMED.

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 03/02/12 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.