

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

Docket No. 16-AT-08485-BR

In Re: Claim of:

CLAIMANT

APPELLANT

Date of Appeal to Board: **JUNE 23, 2016**

OPINION

The BOARD OF REVIEW considered the findings and decision of the Appeal Tribunal Hearing Officer, reversing the Commission's determination by finding the claimant was discharged from her last employment but not for misconduct connected with the work and allowing 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 discharged for violating written company policy and protocol regarding money transfers. She had received a call from a woman stating that she was with the corporate office. The woman instructed the claimant to process two sizeable money transfers even though the written policy stated that money transfers were not to be conducted unless the person requesting the transfer was at the store. When the district manager called the claimant asking about the transactions, he specifically asked her if the person was in the store. She replied that the person was there. The employer later learned the transactions were fraudulent, that the claimant had violated written policy and then did not tell the truth about it. The claimant was then discharged.

The claimant asserted she was not guilty of misconduct because she reasonably believed the call had come from the corporate office and seemed to be legitimate. But such a situation is exactly the reason the employer had a written policy in place regarding money transfers. If the claimant had simply followed the written policy, then she would not have had to make a judgement call that could have resulted in a large loss of money for the employer. Her actions were a breach of her job duties, responsibilities and obligations pursuant to her employment. Afterwards, when questioned by her district manager, she was dishonest about it. The evidence shows she was discharged 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. The claimant is disallowed benefits effective week ending May 7, 2016, and indefinitely until she becomes re-employed and earns wages equal to or in excess of ten times her weekly benefit amount.