

**FORM 13
BRIEF OF APPELLANT**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
Appellate Case No. 2022-001566

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FEB 16 2023

SC Court of Appeals

ADMINISTRATIVE LAW COURT

Administrative Law Court Judge

Milton G. Kimpson, Administrative Law
Court Judge

Case No. 21-ALJ-22-0461-AP

South Carolina Department of
Employment and Workforce
Cellco Partnership,

Respondent,

v.

Lavisha Green

Appellant.

[INITIAL] BRIEF OF APPELLANT

Lavisha Green
154 Buchanan Circle
Goose Creek, South Carolina
29445 (843) 826-7443

INITIAL BRIEF

I began my employment with Verizon Wireless DBA Cellco Partnership on August 28, 2014. I took an authorized medical leave of absence from July 21, 2020, through November 16, 2020. Upon returning to Verizon Wireless DBA Cellco Partnership on November 16, 2020, I was subjected to retaliatory actions that included but was not limited to; not being trained on the new system enhancements, my time not being coded correctly and my managers ignoring my communication.

November 16, 2020 through December 10, 2020, I was chasing and begging for assistance with returning to work. I was demoted into a lower-level Customer Service position and my pay was decreased. The leadership and on boarding return to work team at Verizon Wireless DBA Cellco Partnership constructively discharged me on January 30, 2021.

SCDEW denied my benefits claiming I took an unauthorized leave of absence. SCDEW scheduled the initial hearing for the unauthorized leave of absence on September 1, 2021. During this call the SCDEW interviewee Dean Freeman asked both McCrea and Tran, did I have any changes to my employment before the termination and they lied and said No, I provided proof from payroll that supports they lied during the SCDEW interview. They fabricated that information and the date I returned to work; Tran and McCrea, reported I returned to Verizon Wireless DBA Cellco Partnership on December 10, 2020. That is untrue, I was chasing down the onboarding team trying to keep my job for nearly a month.

On September 1, 2021, Dean Freeman denied my benefits again. The denial was for failing to return to work following my leave of absence, McCrea claimed I failed to complete 22 trainings, I was a no show on January 20th, 25th, and 26th, and after failing to return to work I sent Human

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Resource a text message stating I resigned. During the interview I advised the interviewee these were all lies and McCrea and Tran was lying.

SC Administrative Law Court accused me of abandoning my job during this time and ignoring McCrea and not addressing these claims during my hearing on September 1, 2021. I sent the text message under duress. I was stressed and completely drained from chasing and begging them for help and Human Resource only gave me the option to resign. I never received a document to sign or a proper release from my job duties, Jennifer asked me to send her a text message. Never being terminated from an employer, I did not want a termination to go on my employment record which would have hindered me from getting employment with a new employer.

During the hearing on September 1, 2021, Dean Freeman kept cutting me off when I was addressing these concerns that I was not aware of before the hearing. I explained I used Vacation time and also mention I would not quit my job when they offered me \$40,000 for a slip and fall in 2014, I would not wait 7 years and voluntarily quit my job and I told the interviewee they were lying on the call. All the accusations made are false claims and I have supporting documentation that proves it. I submitted these documents after the hearing due to not being aware Tran and McCrea would add new accusations during the hearing, because the initial hearing was for me taking an unauthorized leave of absence.

SCDEW and SC Administrative Law Court received the documentation and stated I can not use the information as evidence, because it was not submitted before the hearing. My authorized Leave of Absence document from Sedgwick with the correct return to work date were uploaded in SCDEW system and on file before the hearing. My letters from payroll that supports someone tampered with my time and I was demoted and my pay was decreased was submitted with the initial appeal to SCDEW. SCDEW and SC Administrative Law Court still denied my benefits

with proof and all parties are fully aware McCrea and Tran did not tell the truth during the hearing on September 1, 2021.

Due to what has transpired, I am requesting the appeal to reverse the decision made to deny my unemployment benefits. My benefits should have not been denied with the supporting evidence that proves Tran and McCrea lied during the hearing on several occasions.

February 13, 2023

Respectfully submitted,

Lavisha Green
154 Buchanan Circle
Goose Creek, South Carolina
29445

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SC Court of Appeals

**FORM 7
PROOF OF SERVICE OF A Initial Brief**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appellate Case No. 2022-001566

ADMINISTRATIVE LAW COURT Administrative
Law Court Judge

Milton G. Kimpson, Administrative Law Court Judge

Case No. 21-ALJ-22-0461-AP

South Carolina Department of
Employment and Workforce
Cellco Partnership,

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v.

Lavisha Green,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of initial brief on South Carolina Department of Employment and Workforce and Cellco Partnership by depositing a copy of it in the United States Mail, postage prepaid, on February 13, 2023, addressed to his attorney of record, Steven Jordan and employer. PO Box 8597 Columbia, South Carolina 29202 and PO Box 66744 St. Louis MO 63166 on February 13, 2023.

February 13, 2023

s/ Lavisha Green
Lavisha Green
154 Buchanan Circle
Goose Creek, South Carolina
29445 (843) 826-7443
visha.green@yahoo.com

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Lavisha Green
154 Buchanan Cir
Goose Creek, SC 29445

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