

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM SOUTH CAROLINA DEPARTMENT OF EMPLOYMENT  
AND WORKFORCE

E.B. Ayers, Tim Dangerfield, and Stephen S. Kelly, Jr.; Appellate Panel

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Case No. 18-HA-001414

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South Carolina Department of  
Employment and Workforce,  
Priority One Security, Inc.,

Respondents,

v.

Chris R. Klein,

Appellant.

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SC Court of Appeals

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BRIEF OF APPELLANT

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Appellant argues Respondent's belief there was no "good cause" for Appellant's Resignation. There was a reason Appellant left his good paying job without having another one "lined up". Appellant testified that previously diagnosed symptoms of mold exposure returned at the same time a coworker who smelled of mold was placed in Appellant's department, and accelerated when Appellant was moved into the office which the odorous coworker had occupied for over 7 months. Appellant felt substantial relief immediately after permanently leaving this environment, conclusively proving his assertion correct.

Sarah Sims confirmed her home's roof had a perpetual leak that her landlord would not repair. Appellant knew this was happening before she stated it, which is why the question was asked. Eyewitness testimony is evidence in a court of law. Appellant was silenced by

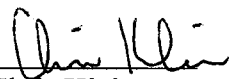
management about the issue effecting Appellant's health and work environment. Appellant believes he exhausted all avenues to remedy the source of the foul smell and health problems, and was faced with the difficult choice between protecting his hair and skin, or continuing employment. Putting all these facts together, Appellant believes the "good cause" requirement for voluntary resignation in accordance with Section 41-35-120(1) was fulfilled.

Appellant believes the Panel erred in the application of some medical evidence requirement. A doctor visit and diagnosis would have been redundant as the symptoms experienced in the Priority One Security Williamston location were simply a resurgence of an existing and diagnosed condition. Appellant believes the medical and laboratory evidences submitted were sufficient to fulfill the medical evidence requirement.

Furthermore, in the FINDINGS section of their decision letter, Respondent cited a statute in the Code that is not applicable to Appellant's claim as a basis for their denial, Section 41-35-125(B). The title of this section reads "Benefits for individuals unemployed as a result of domestic abuse"; source: <https://www.scstatehouse.gov/code/t41c035.php>. Appellant never referenced domestic abuse in this claim. This section clearly does not apply to Appellant.

Due to these inaccurate and arbitrary assertions, Appellant respectfully requests the Administrative Court overrule Respondent's decision in this claim.

November 17, 2018

  
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