

STATE OF SOUTH CAROLINA
ADMINISTRATIVE LAW COURT

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SC Court of Appeals

Keiarra Carr,)
Appellant,)
)
)
vs)
)
South Carolina Department of)
Employment and Workforce and)
JDC Mgmt LLC)
Respondent(s),)
_____)

Docket No. 21-ALJ-22-0245-AP

Appellant's Brief

The Honorable H.W. Funderbunk, Jr.
South Carolina Administrative Law Court
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Columbia, South Carolina 29201

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Claimant

Statement of the Issues

- I. The Office of Appellate Panel and the Appeal Tribunal for the South Carolina Department of Employment and Workforce improperly ruled in favor of JDC Management LLC denying me the “Claimant” Keiarra Carr unemployment benefits.
- II. It was stated in the “Background Section” of the Appellate Panel’s Decision that I “Claimant” Keiarra Carr “voluntarily quit work due to my dissatisfaction with the work environment” but then later states in the “Findings Section” of the Appellate Panel’s Decision that “The record establishes the Claimant quit due to her feeling overwhelmed and stressed with job”
- III. Evidence that I provided to the Department of Employment and Workforce pertaining to the separation was omitted from the hearing with the Appeal Tribunal and therefore not allowed during the appeal to the Appellate Panel. (Refer to last paragraph of the “Findings Section”)
- IV. In the section “Findings” from the Appellate Panel Decision it states “Good cause refers to a material, substantial change in the conditions of employment, or other circumstances directly attributable to the employment, which would cause a reasonable person to become totally unemployed rather than continue working”. It goes on to say that “the record establishes the Claimant quit due to her feeling overwhelmed and stressed with the job.

Statement of the Case

I filed for unemployment benefits on October 8, 2020. On October 19, 2020 I received a letter stating that I was found disqualified from receiving benefits indefinitely, and that I voluntarily left work without a good cause attributable to the employment. I appealed my case to the Appeal Tribunal, which after an evidentiary hearing the Appeal Tribunal upheld the determination of not allowing me to receive unemployment benefits. I then appealed the Appeal Tribunal decision on May 20, 2021 to the Appellate Panel. The Appellate Panel issued its decision which upheld the decision to not allow me to receive unemployment benefits. I am now appealing that decision in hopes that someone will see that I should be allowed unemployment benefits and will reverse the previous decisions.

Argument

- I. **The Office of Appellate Panel and the Appeal Tribunal for the South Carolina Department of Employment and Workforce improperly ruled in favor of JDC Management LLC denying me the “Claimant” Keiarra Carr unemployment benefits.**
 - A. I believe the Office of Appellate Panel and the Appeal Tribunal improperly ruled in favor of JDC Management LLC denying me unemployment benefits because the South Carolina Department of Employment and Workforce overlooked my documentation, my uploads to there database systems, and did not review my supporting documentation and statements before making a decision in my case.

- II. **It was stated in the “Background Section” of the Appellate Panel’s Decision that I “Claimant” Keiarra Carr “voluntarily quit work due to my dissatisfaction with the work environment” but then later states in the “Findings Section” of the Appellate Panel’s Decision that “The record establishes the Claimant quit due to her feeling overwhelmed and stressed with job”**
 - A. Being that both of these statements were made, they are in conflict with each other. One statement says that I quit because I was dissatisfied and the other statement states that I quit because I was feeling overwhelmed and stressed.

- IV. **Evidence that I provided to the Department of Employment and Workforce pertaining to the separation was omitted from the hearing with the Appeal Tribunal and therefore not allowed during the appeal to the Appellate Panel. (Refer to last paragraph of the “Findings Section”)**
 - A. I provided emails, and uploaded documents to the Employment and Workforce Department that were never brought up or discussed in my first hearing even though I tried to bring them up, and those facts were overlooked. During my second appeals hearing I tried to bring them up again, and was told that because they weren’t discussed during the first appeals hearing I would not be able to discuss them in my 2nd appeals hearing.
 - B. I also let the company know that when I was hired I was pregnant, I was what they refer to as a high-risk pregnancy. I provided this information to the Department of Employment and Workforce for my initial hearing and this information was also omitted from both hearings.

Argument (continued)

- V. **In the section “Findings” from the Appellate Panel Decision it states “Good cause refers to a material, substantial change in the conditions of employment, or other circumstances directly attributable to the employment, which would cause a reasonable person to become totally unemployed rather than continue working”. It goes on to say that “the record establishes the Claimant quit due to her feeling overwhelmed and stressed with the job.**
- A. The fact that when I was hired as an Assistant Property Manager a Property Manager was to be hired per the Vice President.
 - B. A Property Manager was never hired during my time of employment which caused me to have to do the work responsibilities of a Property Manager which did cause me to become overworked, overwhelmed, and stressed.
 - C. The fact that I was 8 months pregnant at the time of separation from JDC Management was omitted from the hearings with the Appeal Tribunal and with The Office of Appellate Panel.

Conclusion

With the facts stated above I hope that the decision of me not meeting the eligibility requirements for unemployment benefits is reversed. So that I can receive unemployment benefits to help me and my children survive during this pandemic.