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SC Court of Appeals

APPELLANT INITIAL REPLY BRIEF

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM THE ADMINISTRATIVE
LAW COURT
The Honorable H. W. Funderburk Jr.

Case No. 2021-001444

South Carolina Department of
Employment and Workforce
and JDC Mgmt. LLC

Respondent,

v.

Keiarra Carr,

Appellant.

APPELLANT INITIAL REPLY BRIEF

TABLE OF CONTENTS

Table of Authorities ii
Statement of Issues on Appeal 1
Statement of the Case..... 1
Standard of Review 1
Facts 1

Arguments

- I. Notice of Appeal and all required documents which follow the Appendix B Appeals Chart were submitted to all parties involved.
II. Appellant submitted a statement from Hiring Property Manager Dottie Luzader supporting position, hours, poor standing of the properties, and confirmation of pregnancy.
III. Appellant was hired part-time and did not receive any kind of benefits. Being that the appellant was pregnant she gave a proper 2 weeks' notice to the Vice President of the company.

Conclusion 2

TABLE OF AUTHORITIES*

STATEMENT OF ISSUES ON APPEAL

Respondent constantly states that the Appellant left without good cause, not stating the Appellant gave proper notice to VP of Company, the Appellant was pregnant and due to be on maternity leave if those benefits were offered, the Appellant worked without a Property Manager for 3 months, the Appellant had no backup or support from Regional Property Manager, proof of an e-mail sent to the VP of the Company was provided. In those e-mails you will also find the VP company about that status of the property being severely delinquent and behind.

STATEMENT OF THE CASE

When I was hired at JDC Management I was hired as a Part- Time Leasing Professional, when Dottie and I brought this to the attention of Tracy (HR Manager at the time before quitting JDC Management) she then adjusted my offer letter to reflect being a PT Assistant Manager. A pregnant woman that should be protect under the class act cannot voluntarily determine when her baby will come, unless she is being induced and which I was not. To say I voluntarily left work without good cause? Does that mean this black woman, and her black baby are not a good enough cause? Are other employees at JDC management allowed to leave for the birth of their babies? Am I not allowed to have the same/proper amount of maternity leave?

STANDARD OF REVIEW

FACTS

- I. Per my offer letter signed by HR Manager and my Property Manager at the time states, As Assistant Property Manager (this is after the position change was made”, your primary responsibility will be to assist overseeing the day-to-day operations, management, and lease up. With that said, I agreed to a position that stated I was to assist overseeing, with 3 months and no Property Manager I was solely overseeing. JDC Management would not have had a hard time hiring a manager 1. If they actively tried, because if they really wanted the position filled, they would have offered it to me, made me full-time, which would have granted me benefits for maternity leave. However, JDC Management did not even want to offer me a full-time position as the only person in the office, they kept me PT. What corporation

that is geared towards success would set a property up for failure in the manner JDC Management did?

- II. JDC Management would have not had a hard time hiring if they had a good repo, and less staff turnaround. Property Management is like a community, and everyone knows who is good, bad, and just plays dirty. With the Vice President of the Company walking out mid-shift, that says a lot about JDC Management.
- III. JDC Management displays signs of discrimination, why does me leaving due to pregnancy result in “Voluntarily Quit without good cause” does that apply to all women? Of all races at JDC Management?
- IV. I have provided another supporting statement from previous hiring manager confirming I was pregnant; the Regional Property Manager knew I was pregnant, and the Vice President knew I was pregnant. My pregnancy is no different than anyone else just because my skin tone is different. I must leave just as any other woman does.

ARGUMENTS

- I. I have witnesses who can all back and confirm everything that I have stated. If the person who I turned my notice into quits before doing whatever has to be done, and I'm uncertain of what the VP did because I had no idea she had even quit, why am I being held responsible when I did my part?
- II. If JDC Management cared about their Asset and wanted a full staff to properly run their business, they could have hired someone from a temping agency, promoted from within, and or actively interviewed. In a matter of 3 months only 1 interview was conducted.
- III. SC DEW makes several errors and faults, they barely have/had their system figured out, I submitted proof backing the faults the Respondent has made, on several occasions.

CONCLUSION

For the foregoing reasons, the Decision and Order of the Appellate Panel should be reversed, so that I can receive unemployment benefits so I can support my children during this pandemic, and homelessness.

Respectfully submitted,

February 28, 2022

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