

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

LUCIA-CARMA GREER,)	No. ED103348
)	
Appellant,)	Appeal from the Labor and Industrial
)	Relations Commission
vs.)	
)	
DIVISION OF EMPLOYMENT SECURITY,)	
)	Filed: September 6, 2016
Respondent.)	

Lucia-Carma Greer appeals from the Labor and Industrial Relations Commission’s decision which found her ineligible to receive unemployment benefits during the period from November 30, 2014 to December 6, 2014—when she was in New York for Air National Guard training—because the Commission concluded that she was therefore not “available for work.” Greer contends that the Commission’s decision was erroneous because the record shows that throughout the relevant period she remained ready, willing, and able to accept a suitable job and thus *was* “available for work” as that phrase is defined under Missouri law.

REVERSED AND REMANDED.

DIVISION IV HOLDS: Viewing the entire record as required by our standard of review, with due deference to the Commission, we are compelled to conclude that Greer was ready, willing, and able to accept—and almost certainly would have accepted—a suitable job offer if she had been offered one while she was in New York. Accordingly, since Greer thus was “available for work” under Missouri law, we find that the Commission erroneously misapplied the law and reached a decision against the weight of the evidence on the whole record by finding Greer ineligible for benefits during the period in question.

Opinion by: James M. Dowd, P.J.

Kurt S. Odenwald, J., Gary M. Gaertner, Jr., J., concur.

Attorney for Appellant: Lucia-Carma Greer, Pro Se

Attorney for Respondent: Larry R. Ruhmann

THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.