

**OPINION SUMMARY**

**MISSOURI COURT OF APPEALS EASTERN DISTRICT**

KURT D. TENGE, )  
 ) No. ED94994  
 Claimant/Appellant, )  
 )  
 v. ) Appeal from the Labor and  
 ) Industrial Relations Commission  
 )  
 WASHINGTON GROUP )  
 INTERNATIONAL, INC., ) Date: January 25, 2011  
 )  
 Employer, )  
 )  
 v. )  
 )  
 DIVISION OF EMPLOYMENT SECURITY, )  
 )  
 Respondent/Respondent. )

Claimant, Kurt D. Tenge, appeals from an order of the Labor and Industrial Relations Commission affirming the decision of the Appeals Tribunal of the Division of Employment Security finding claimant disqualified from receiving unemployment benefits.

REVERSED AND REMANDED.

Division Two Holds: Employer did not show that claimant willfully violated certain workplace safety and reporting policies and therefore, did not show that claimant was discharged for misconduct connected with his work.

Opinion by: Kathianne Knaup Crane, J.  
Glenn A. Norton, P.J. and George W. Draper III, J., concur.

Attorney for Appellant: James M. Martin

Attorney for Respondent Division of Employment Security: Bart A. Matanic

**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.**