

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION ONE

MARIA BOLDEN, ) No. ED96276  
 )  
Appellant, ) Appeal from the Labor and Industrial  
 ) Relations Commission  
vs. )  
 )  
CURA, INC., and )  
DIVISION OF EMPLOYMENT SECURITY, )  
 )  
Respondents. ) FILED: October 25, 2011

Maria Bolden ("Bolden") appeals a decision from the Labor and Industrial Relations Commission ("the Commission") denying Bolden unemployment benefits.

REVERSED AND REMANDED

Division One Holds: The Commission erred in finding that Bolden's failure to complete an incident report in an attempt to avoid work amounted to misconduct that disqualified her from receiving unemployment benefits. This Court defers to the Commission's finding that Employer's witness testified credibly, but the record contains no evidence that Bolden had knowledge of Employer's incident reporting policies. We reverse and remand for an additional hearing to determine Bolden's knowledge of reporting policies.

Opinion by: Roy L. Richter, Judge  
Clifford H. Ahrens, P.J., and Gary M. Gaertner, Jr., J., concur

Attorneys for Appellant: Martin L. Perron, Maria V. Perron

Attorneys for Respondent: Shelly A. Kintzel

**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.**