

MISSOURI COURT OF APPEALS EASTERN DISTRICT
OPINION SUMMARY

BRITTANY HOOCK,)	No. ED97683
)	
Claimant/Respondent,)	Appeal from the Labor and
)	Industrial Relations Commission
vs.)	
)	
MISSOURI DEPT. OF REVENUE,)	
)	
Employer/Appellant,)	
)	
and)	
)	
DIV. OF EMPLOYMENT SECURITY,)	
)	FILED: September 4, 2012
Respondent.)	

The Director of Revenue appeals the decision of the Labor and Industrial Relations Commission declaring Brittany Hooch (Claimant) eligible for unemployment benefits after she was terminated from her position with the Missouri Department of Revenue for sending inappropriate personal emails from her workstation in violation of Department policy.

REVERSED AND REMANDED.

DIVISION ONE HOLDS: Claimant's actions constitute misconduct connected with work as defined by section 288.030.1(23) RSMo. Her conduct not only demonstrates negligence in such a degree as to manifest culpability but also shows a disregard of standards of behavior that the State has the right to expect of its employees.

Opinion by: Clifford H. Ahrens, P.J. and Sherri B. Sullivan, J., concur.
Glenn A. Norton, J., dissents in separate opinion.

Attorney for Appellant: Trevor S. Bossert

Attorney 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.**