

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

#### DIVISION FIVE

DAVID DARR,	)	No. ED100197
	)	
Appellant,	)	
	)	Appeal from the Labor and
vs.	)	Industrial Relations Commission
	)	
ROBERTS MARKETING GROUP, LLC	)	13-07274R-A
AND DIVISION OF EMPLOYMENT	)	
SECURITY,	)	
	)	
Respondents.	)	Filed: April 22, 2014

David L. Darr appeals the decision of the Labor and Industrial Relations Commission (“the Commission”) denying him unemployment benefits.

REVERSED AND REMANDED.

Division Five Holds: The competent and substantial evidence in the record demonstrates that Mr. Darr met his burden of establishing both the reasonableness and the good faith of his actions. Under the facts of this case, Mr. Darr had good cause attributable to the employer for his voluntary departure from employment. Therefore, the Commission erred in finding that Mr. Darr was disqualified from receiving benefits.

Opinion by: Karl A.W. DeMarce, S.J.  
Robert M. Clayton III, C.J., and Gary M. Gaertner, Jr., J., concur.

Attorney for Appellant: Michael J. Zpevak

Attorneys for Respondent: Bart A. Matanic, Michael E. Kaemmerer, Lindsey D. Rendlen

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