

February 27, 2015

The Honorable Nikki R. Haley
Governor of South Carolina
1205 Pendleton Street
Columbia, SC 29201

Dear Governor:

I've been keeping abreast of the news concerning DHEC. I personally was displeased to see Catherine Templeton leave; however, after working at the local DHEC in Greenwood SC, I can fully see her wanting to remove herself from the charge of DHEC responsibilities. My experience with that particular DHEC was deplorable. During my employment, I witnessed numerous accounts of unprofessionalism, primarily from my supervisor, Jean Banks. I was displaced from my job and replaced by temporaries. The supervisor complained all the while that she didn't in fact have enough staff, while leaving me displaced to roam the halls for almost 3 full weeks while she ineptly made employee changes. It was very much a "high school" type atmosphere.

In the months that I worked, February to November, we had several employees that quit. Our records room person, Darline Morton, who was very professional, complained that she was tired of being charged with doing many of the supervisor's duties while one special employee did nothing. I can attest to that. She left and a temporary took charge of the records room. Our IT person, Kim Dean, also left. One of our nutritionists, Elizabeth Clark, left Greenwood DHEC for Greenville DHEC, as well as, another outstanding employee, Mary Bright who left and was promoted in the Laurens DHEC. In addition to those employees leaving another hardworking administrative specialist, Allison Willingham, also left. That many people leaving a state job during a slow economic period speaks volumes. In my estimation, the problem lies with the supervisor; and, it seems to be an ongoing unaddressed problem. If this is the way that SC runs its governmental offices, then it is no wonder that SC has many problems. I'm sure that as you read this, you are fully aware that this is the "infamous" DHEC of which I speak, Greenwood DHEC or perhaps better noted as "TB Central."

Your time and consideration in and of this matter is greatly appreciated.

Sincerely,



Paula Smith

ps/enclosure

cc: Mary Stackhouse, R.N. and Site Supervisor for Greenwood County DHEC

SOUTH CAROLINA
DEPARTMENT OF EMPLOYMENT AND WORKFORCE

DECISION OF APPEAL TRIBUNAL

Hearing Date: January 05, 2015

PAULA M. SMITH
101 SINGLETREE RD
GREENWOOD, SC 29646 8830

CLAIMANT

STATE HEALTH & ENVIRONMENTAL CONTROL
C/O OFFICE OF PERSONNEL SERVICES
2600 BULL ST
COLUMBIA, SC 29201

EMPLOYER

APPELLANT: Claimant

SS NO: 251-37-4823

APPEARANCES

FOR THE Present
CLAIMANT:

FOR THE 1 Witness
EMPLOYER:

FINDINGS OF FACT

The issue in this case is whether claimant was discharged for misconduct or cause from the most recent employment.

Claimant appealed the determination mailed December 2, 2014, which held her disqualified twenty (20) weeks and twenty (20) times the weekly benefit amount from November 9, 2014, through March 28, 2015, upon finding claimant was discharged for misconduct connected with the employment.

Claimant worked with the employer from February 3, 2014, to November 6, 2014, most recently as a front desk clerk. The employer terminated the claimant telling her it was because she was not happy with the job. Claimant agreed that she was not happy, but she had complained to higher authority about management and unfair working conditions, but they never responded to her complaints. Claimant started out on the front desk, but she was shifted around and never knew what her job title was. Temporary workers were hired and claimant's job responsibilities were given to them leaving her with nothing to do. Claimant also complained about unprofessional conduct of her manager. She was in the process of writing another email about her concerns when approached by her manager. Claimant did not

deny that she was unhappy, but claims she did nothing wrong to warrant termination. Employer elected not to participate in the hearing, and claimant found other employment beginning November 17, 2014.

REASONS

S.C. Code Ann. §41-35-120(2)(a) requires disqualification from benefits for twenty (20) weeks, with a corresponding monetary reduction, when the Department finds that a claimant has been discharged for misconduct connected with the employment. "Misconduct" includes deliberate violations or disregard of the standards of behavior which an employer has the right to expect of his employee, and carelessness or negligence of such a degree or frequency as to show an intentional and substantial disregard of the employer's interests or of the employee's duties and obligations to his employer.

S.C. Code Ann. §41-27-20 requires that unemployment benefits to be set aside for persons unemployed through no fault of their own.

S.C. Code Ann. §41-35-120(2)(b) requires disqualification from benefits for five (5) to nineteen (19) weeks, with a corresponding monetary reduction, when the Department finds that a claimant has been discharged for cause, other than misconduct, connected with the employment. "Cause" may include an unintentional disregard for the standards of behavior the employer can rightfully expect of his employee or the negligence of an employee that does not rise to the level of misconduct.

Although duly notified of the hearing, the employer elected not to participate. As such, claimant's testimony is give greater consideration. Claimant acknowledged that she was not happy with her job, but she voiced her complaints and the employer did nothing to address her concerns. Employer presented no testimony showing claimant violated policy or employer interest; therefore, the Tribunal finds she was discharged without cause.

DECISION

The Tribunal holds claimant eligible for benefits without disqualification effective November 9, 2014, upon finding she was discharged without cause connected with the employment. This decision reverses the determination mailed December 2, 2014.

This will be the final decision of the Agency, unless you file an appeal to the Appellate Panel setting forth in detail the grounds for appeal within ten (10) calendar days, including weekends and holidays, from the mailing date of this decision. If the tenth day falls on a Saturday, Sunday or holiday, the appeal period is extended to the next business day. Your appeal may be filed by mail addressed to "Appellate Panel, Post Office Box 1752, Columbia, South Carolina, 29202", or by fax at 803.737.3166. For additional information on filing an appeal, visit our web site at www.dew.sc.gov/appeals.asp.



Ronnie H. Hoover
Administrative Hearing Officer

RHH: ect.

Decision Mailed: 01/06/15

Mailed on the above Date By: 