

STATE OF OHIO, COUNTY OF BELMONT
COURT OF COMMON PLEAS
BELMONT CO., OHIO

2014 MAY 30 PM 12 07

Karen Josefczyk

Claimant/Appellant,

Vs.

State of Ohio Unemployment
Compensation Review Commission

OPINION AND JUDGMENT

and

Director, Department of Job and
Family Services

Defendants/Appellees

Case No.: 13 CV 0276

I. Introduction

On February 4, 2013, Appellant Karen Josefczyk was terminated from her employment with The Huntington National Bank. She filed for unemployment compensation and the Hearing Officer found that Appellant Karen Josefczyk was discharged from her employment with The Huntington National Bank for just cause in connection with her work. The decision of the Hearing Officer was then affirmed by the Unemployment Compensation Review Commission on July 10, 2013. Appellant Karen Josefczyk appealed that decision of the Unemployment Compensation Review Commission affirming the decision of the Hearing Officer to the Court of Common Pleas of Belmont County, Ohio.

II. Standard of Review

This Court can only reverse the decision of the Unemployment Compensation Review Commission if its ruling was unlawful, unreasonable, or against the manifest weight of the evidence. This Court is not permitted to make its own factual findings. This Court is not permitted to review or even consider the issue of creditability.

III. Discussion

On January 14, 2013, Appellant Josefczyk was placed on a performance improvement plan, though she had even been on one previously, after making several errors. After being placed on that plan, she continued making errors.


IV. Conclusion

This Court concludes that the decision of the Unemployment Compensation Review Commission was not unlawful, unreasonable or against the weight of the evidence. This Court may or may not have made a different factual finding. This Court may or may not have made a different credibility finding. However, there is sufficient evidence to justify the discharge by The Huntington National Bank, the denial of benefits by the Hearing Officer, and the affirmation by the Unemployment Compensation Review Commission. The decision of the Unemployment Compensation Review Commission is hereby affirmed and this case is hereby dismissed at costs to the Claimant/Appellant.

FINAL APPEALABLE ORDER

Date of Entry: May 30, 2014


FRANK A. FREGIATO JUDGE

pc:  Timothy F Cogan, Atty./Pl.
Patria V Hoskins, Atty./Def.

CLERK SERVED COPIES ON
ALL THE PARTIES OR
THEIR ATTORNEYS

ENDED