

S U M M A R Y O R D E R

¶ 1 Plaintiff Reyna Herrera appeals *pro se* from an order of the circuit court which affirmed an administrative decision by one of the defendants, the Board of Review of the Department of Employment Security (Board). The Board found that plaintiff, who was discharged from her job as an office assistant for defendant Mt. Sinai Hospital, was disqualified under section 602A of the Unemployment Insurance Act (Act) from receiving unemployment insurance benefits because she had been discharged for misconduct connected with her work. 820 ILCS 405/602A (West 2010). Specifically, plaintiff was discharged for conduct unbecoming an employee because she spent approximately two hours dying her hair in the bathroom at work while she was supposed to be working at the ultrasound desk. The circuit court affirmed the Board's decision and found that it was not clearly erroneous. On appeal, plaintiff contends that the employer fabricated the hair dying incident because it wished to fire her for losing an original film after she already had made digital copies of the film.

¶ 2 Even though plaintiff is a *pro se* litigant, she is required to comply with the procedural rules of the Illinois Supreme Court (*First Illinois Bank & Trust v. Galuska*, 255 Ill. App. 3d 86, 94 (1993)), and it is not the function of this court to research her case for her (see *Piper v. Moran's Enterprises*, 121 Ill. App. 3d 644, 649 (1984)). Given that plaintiff has cited no authority to support her contentions, she has waived them. See Ill. S. Ct. R. 341(h)(7) (eff. July 1, 2008); see also *Morris v. William L. Dawson Nursing Center, Inc.*, 299 Ill. App. 3d 1107, 1113 (1998), *aff'd*, 187 Ill. 2d 494 (1999); *Heatherly v. Rodman & Renshaw*, 287 Ill. App. 3d

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372, 379 (1997). Furthermore, we have reviewed the record, and it does not support plaintiff's position.

¶ 3 The record discloses that plaintiff failed to follow reasonable work rules several days prior to the incident in this case and was warned that she could be discharged for another violation. On January 21, 2010, plaintiff was given a written warning, which she refused to sign, about conduct unbecoming an employee when three of four patient films were missing and plaintiff had failed to document where they had been sent. This issue compromised patient privacy, and plaintiff was warned that any further such violations could result in her discharge. Plaintiff also had received unspecified prior warnings as well.

¶ 4 On Saturday, January 23, 2010, two days after the last warning to plaintiff, plaintiff was missing from the ultrasound patient desk for two hours or more, and a hospital housekeeper, Diane Scott, saw red hair dye that resembled blood and a box of hair dye in a hospital bathroom. Plaintiff told Scott that she had used the bathroom to dye her hair and that it was Scott's job to clean the bathroom, and Scott reported the incident. It took extra work to clean the bathroom, and a hospital technician had to cover the patient desk in addition to performing examinations during the time that plaintiff was missing. Thus, plaintiff was rude and disrespectful to her coworkers. Mary Rinder, the director of women's health and ultrasound, testified that when plaintiff was questioned about why she was missing, she stated that she had gone to dye her hair, but she also denied that she had done so. Although there was no evidence that plaintiff was seen with red hair, on Friday, January 22, 2010, plaintiff's hair was dark brown, and on Monday,

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January 25, 2010, plaintiff's hair was jet black.

¶ 5 Plaintiff denied that she had dyed her hair, denied that she had told Scott that she had dyed her hair, denied that she had told Scott that it was her job to clean the bathroom, and explained that she was not always at the patient desk because she had to walk patients to their ultrasounds. She claimed that her hair had always been black.

¶ 6 The Board found the employer's evidence to be more credible than plaintiff's testimony and that plaintiff did not explain why the hospital would have concocted a conspiracy against her. Based on the facts, it was not against the manifest weight of the evidence for the Board to have found that plaintiff dyed her hair while she was supposed to be working in violation of reasonable work rules. See *Manning v. Department of Employment Security*, 365 Ill. App. 3d 553, 556 (2006). It was also not against the manifest weight of the evidence for the Board to have found that plaintiff previously had been disciplined and warned about different rule violations. Plaintiff does not dispute that her behavior constituted disqualifying misconduct, and it was not clearly erroneous for the Board to conclude that plaintiff's behavior constituted disqualifying misconduct under section 602A of the Act. See *Hurst v. Department of Employment Security*, 393 Ill. App. 3d 323, 330 (2009). Accordingly, the judgment of the circuit court is affirmed.

¶ 7 This order is entered in accordance with Supreme Court Rule 23(c)(2), (4) (eff. July 1, 2011).

¶ 8 Affirmed.

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