

**IN THE COURT OF APPEALS OF TENNESSEE
MIDDLE SECTION AT NASHVILLE**

FILED

May 30, 1997

**Cecil W. Crowson
Appellate Court Clerk**

AUBREY L. GILLEY,)

Plaintiff/Appellant,)

VS.)

MARGARET CULPEPPER,)
As Commissioner of the Tennessee)
Department of Employment Security,)
and FORKLIFTS UNLIMITED, INC.,)

Defendants/Appellees.)

Davidson Chancery
No. 95-3496-II

Appeal No.
01A01-9611-CH-00521

CONCURRING OPINION

I concur completely with the court's opinion in this case. I write separately to note that we have held in other factual contexts that an employee's failure to take all necessary and reasonable steps to protect his or her employment can be considered a voluntary leaving for the purpose of Tenn. Code Ann. § 50-7-303(a)(1) (Supp. 1996). *McPherson v. Stokes*, App. No. 01A01-9505-CH-00216, 1997 WL 170338, at * 2 (Tenn. Ct. App. April 11, 1997).

WILLIAM C. KOCH, JR., JUDGE