

DEPARTMENT OF EMPLOYMENT AND TRAINING

BOARD OF APPEALS  
1100 NORTH EUTAW STREET  
BALTIMORE, MARYLAND 21201

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STATE OF MARYLAND  
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Chief Hearing Examiner

— DECISION —

Decision No.: 898-BR-85  
Date: October 10, 1985

Claimant: Carl H. Auth

Appeal No.: 08098

S. S. No.:

Employer: General Glass Corporation

L.O. No.: 50

Appellant: CLAIMANT

Issue: Whether the claimant's unemployment was due to leaving work voluntarily, without good cause, within the meaning of §6(a) of the law.

— NOTICE OF RIGHT OF APPEAL TO COURT —

YOU MAY FILE AN APPEAL FROM THIS DECISION IN ACCORDANCE WITH THE LAWS OF MARYLAND. THE APPEAL MAY BE TAKEN IN PERSON OR THROUGH AN ATTORNEY IN THE CIRCUIT COURT OF BALTIMORE CITY, OR THE CIRCUIT COURT OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT ON November 9, 1985

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

REVIEW ON THE RECORD

Upon review of the record in this case, the Board of Appeals reverses the decision of the Hearing Examiner and concludes that the claimant had good cause, connected with the conditions of his employment, for quitting his job, within the meaning of §6(a) of the law.

The claimant has consistently maintained (and this testimony has been unrefuted by the employer) that despite his dissatisfactions with his job at the Springfield store, he resigned his position with the employer solely because he was being transferred to the Bethesda store, which would have required him to travel approximately six hours round trip each day.


The Board concludes that this commuting distance is excessively long and under the Board's reasoning in Miller v. Fairchild Industries, 697-BR-84, the claimant had good cause to quit because the employer moved the job site to a distant location. The Board notes that if the claimant had quit due to his dissatisfaction with his commute to the Springfield store, after he requested the transfer to that store, a finding of good cause would not have been justified.

#### DECISION

The claimant's unemployment was due to leaving work voluntarily, with good cause, within the meaning of §6(a) of the Maryland Unemployment Insurance Law. No disqualification is imposed based upon his separation from employment with General Glass Corporation. The claimant may contact the local office concerning the other eligibility requirements of the law.

The decision of the Hearing Examiner is reversed.

  
Chairman

  
Associate Member

K:W  
kmb

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CLAIMANT

EMPLOYER

OUT-OF-STATE CLAIMS