



Maryland

Department of Economic & Employment Development

William Donald Schaefer, Governor
J. Randall Evans, Secretary

Board of Appeals
1100 North Eutaw Street
Baltimore, Maryland 21201
Telephone: (301) 333-5032

Board of Appeals
Thomas W. Keech, Chairman
Hazel A. Warnick, Associate Member
Donna P. Watts, Associate Member

— DECISION —

	Decision No.:	1045-BR-89
	Date:	Nov. 30, 1989
Claimant: Eugene Violet	Appeal No.:	8911028
	S.S. No.:	
Employer: Dept. of Natural Resources State of Maryland	L.O. No.:	4
	Appellant	CLAIMANT

Issue: Whether the claimant failed, without good cause, to accept suitable work when offered, within the meaning of Section 6(d) 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, IF YOU RESIDE IN BALTIMORE CITY, OR THE CIRCUIT COURT OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

December 30, 1989

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT ON

— 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 for refusing the job offer with the Department of Natural Resources.

The un rebutted testimony of the claimant is that he was told he was being laid off after four weeks, on or about August 1, 1989, primarily due to budgetary considerations. Due to his dissatisfaction with certain work conditions, which he perceived as discriminatory, and due to excessive physical handling of him by his supervisor, he declined to be rehired when the employer offered him four more weeks of work, after admitting that they had treated him unfairly. Under these circumstances, the Board concludes that the claimant had good cause to refuse the offer within the meaning of Section 6(d).

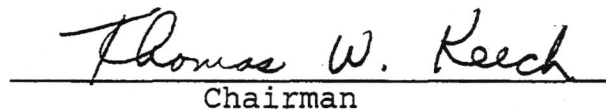
DECISION

The claimant refused an offer of suitable work, but for good cause, within the meaning of Section 6(d) of the Maryland Unemployment Insurance Law. No disqualification is imposed under this section of the law.

The decision of the Hearing Examiner is reversed.



Associate Member



Chairman

HW:K

kbm

COPIES MAILED TO:

CLAIMANT

EMPLOYER

UNEMPLOYMENT INSURANCE - HAGERSTOWN



Maryland

Department of Economic & Employment Development

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Secretary

1100 North Eutaw Street
Baltimore, Maryland
21201

(301) 333-5040

- DECISION -

Date: October 12, 1989

Claimant: Eugene E. Violet Decision No.: 8911028

U.S. No.:

Employer: Department of Natural Resources L.O. No.: 004

Appellant: Claimant

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

— NOTICE OF RIGHT OF FURTHER APPEAL —

ANY INTERESTED PARTY TO THIS DECISION MAY REQUEST A FURTHER APPEAL AND SUCH APPEAL MAY BE FILED IN ANY EMPLOYMENT SECURITY OFFICE. OR WITH THE APPEALS DIVISION ROOM 515, 1100 NORTH EUTAW STREET. BALTIMORE. MARYLAND 21201. EITHER IN PERSON OR BY MAIL

THE PERIOD FOR FILING A PETITION FOR REVIEW EXPIRES AT MIDNIGHT ON

October 27, 1989

— APPEARANCES -

FOR THE CLAIMANT:

FOR THE EMPLOYER:

Eugene E. Violet Present

Not Represented

FINDINGS OF FACT

The claimant filed an original claim for unemployment insurance benefits at Hagerstown, effective July 30, 1989.

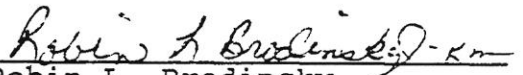
The claimant was employed by the Maryland Department of Natural Resources for a period of four weeks, from July 5, 1989 to August

1989. But, in view of the unrefuted assertions and allegations made by the claimant concerning the poor treatment, harassment and discrimination which he was receiving at the hands of a supervisor, for which the employer had apologized to the claimant, I conclude that such evidence is sufficient to mitigate a penalty which must be imposed pursuant to the provisions of Section 6(d) of the Maryland Unemployment Insurance Law. Accordingly, such modification shall be entered herein.

DECISION

It is held that the claimant's was laid off or a non-disqualifying reason within the meaning of Section 6(a) of the Maryland Unemployment Insurance Law. Benefits are allowed from July 30, 1989 and thereafter, provided the claimant is otherwise eligible pursuant to the requirements of the unemployment insurance law, and subject to such other disqualification as may be entered herein.

It is held that the claimant failed, without good cause, to accept suitable work when offered, within the meaning of Section 6(d) of the Maryland Unemployment Insurance Law. Benefits are denied for the week beginning July 30, 1989 and the four weeks immediately following.


Robin L. Brodinsky
Hearing Examiner

Date of Hearing: October 4, 1989

km/Specialist ID: 04455

Cassette No: 8287

Copies mailed on October 12, 1989 to:

Claimant

Employer

Unemployment Insurance - Hagerstown - (MABS)