



# DEPARTMENT OF HUMAN RESOURCES

EMPLOYMENT SECURITY ADMINISTRATION  
1100 North Eutaw Street  
Baltimore, Maryland 21201  
Telephone: 383-5032

BOARD OF APPEALS  
THOMAS W. KEECH  
Chairman  
HAZEL A. WARNICK  
MAURICE E. DILL  
Associate Members  
SEVERN E. LANIER  
Appeals Counsel

STATE OF MARYLAND  
HARRY HUGHES  
Governor

RUTH MASSINGA  
Secretary

## —DECISION—

DECISION NO: 1085-BH-83

DATE: September 21, 1983

CLAIMANT: Vincent DePaul Gisriel, Jr. APPEAL NO.: 23468

S.S.NO:

EMPLOYER: Charles H. Steffey, Inc. IO.NO.: 15

APPELLANT: REMAND FROM COURT - CLAIMANT APPEAL

**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 OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT

October 21, 1983

## —APPEARANCE—

**FOR THE CLAIMANT:**

**FOR THE EMPLOYER:**

Vincent DePaul Gisriel, Jr. - Claimant

Patricia Stominski

### EVALUATION OF THE EVIDENCE

This case was remanded from the Circuit Court to allow the claimant to present additional testimony and argument in support of his position. At the hearing, the claimant elected to proceed by presenting additional argument only. The Board has reviewed the entire record in this case.

## FINDINGS OF FACT

The claimant was employed on November 5, 1979 until September 15, 1981 as a property manager at a pay rate of \$290.00 per week.

This was a difficult job. The job required dealing with the Boards of Directors of numerous condominiums, dealing with a shifting population of contractors, travel within the central Maryland area, dealing with the financial records of the Boards under his care and being responsible in an overall way for the smooth running of several projects at the same time.

The claimant was warned by the employer, and was fully aware, prior to ever having accepted the job, that the job was a hectic and demanding one. The primary reason that the claimant left his employment was that he decided, after almost two years of this employment, that he was unwilling to cope with the hectic nature of this type of employment any longer and would seek employment in another field. The job was, in some respects, slightly more difficult than the claimant had expected, but it was not so different from the job described in his employment interview that he could reasonably complain.

Another reason the claimant left was that there had been an embezzlement concerning one of the projects with which he was associated, and he was not satisfied with the speed of the investigation which the employer was conducting. This was not, by any means, the primary reason for the claimant leaving his employment.

## CONCLUSIONS OF LAW

The claimant primarily left his employment because, although he was aware when he took the job of the hectic nature of the employment, he decided after approximately two years that he was no longer willing to undergo the problems associated with this type of work and would enter another field of endeavor. This reason is not good cause within the meaning of §6(a) of the Maryland Unemployment Insurance Law. It is important to note that the claimant was fully aware of the nature of the job prior to having taken it. In these circumstances, a simple desire to go into another line of work does not amount to good cause within the meaning of §6(a) of the Law, nor does it amount to serious, valid circumstances sufficient to mitigate the penalty to be imposed under §6(a) of the law.

If the claimant had proven both that his primary reason for leaving was the handling of the embezzlement investigation and that he had reason to believe that serious illegal or unethical acts were being committed of which he was necessarily made a part, the claimant would have had good cause within the meaning of §6(a). In this case, however, the claimant proved neither that this was his primary reason for leaving nor that a serious legal or ethical question was raised by the employer's practices.

DECISION

The claimant left his work voluntarily, without good cause, within the meaning of §6(a) of the Maryland Unemployment Insurance Law. He is disqualified from receiving benefits from the week beginning September 13, 1981 and until he becomes reemployed, earns at least ten times his weekly benefit amount (\$1,400.00) and thereafter becomes unemployed through no fault of his own.

The previous decision of the Board, Decision No. 1021-BR-82, is affirmed.

  
Chairman

  
Associate Member

K:W

kmb

DATE OF HEARING: July 26, 1983

COPIES MAILED TO:

CLAIMANT

EMPLOYER

Jonathan Azriel, Esquire

Charles H. Steffey, Inc.

UNEMPLOYMENT INSURANCE - WESTMINSTER



DEPARTMENT OF HUMAN RESOURCES  
 EMPLOYMENT SECURITY ADMINISTRATION  
 1100 NORTH EUTAW STREET  
 BALTIMORE, MARYLAND 21201  
 383 - 5040

STATE OF MARYLAND  
 HARRY HUGHES  
 Governor  
 KALMAN R. HETTLEMAN  
 Secretary

BOARD OF APPEALS

JOHN J. KENT  
 Chairman

HENRY G. SPECTOR  
 HAZEL A. WARNICK  
 Associate Members

SEVERN E. LANIER  
 Appeals Counsel

GARY SMITH  
 Chief Hearings Officer

- DECISION -

**CLAIMANT:** Vincent D. Gisriel , Jr.  
**DATE:** 2/24/82  
**APPEAL NO.:** 24368-EP  
**S.S.NO.:**  
**EMPLOYER:** Charles H. Steffey, Inc.  
**L.O.NO.:** 15  
**APPELLANT:** Employer

**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 TO PETITION FOR REVIEW

ANY INTERESTED PARTY TO THIS DECISION MAY REQUEST A REVIEW AND SUCH PETITION FOR REVIEW MAY BE FILED IN ANY EMPLOYMENT SECURITY OFFICE, OR WITH THE APPEALS DIVISION, ROOM 515, 1100 NORTH EUTAW STREET, BALTIMORE, MARYLAND 021201, EITHER IN PERSON OR BY MAIL.

THE PERIOD FOR FILING A PETITION FOR REVIEW EXPIRES AT MIDNIGHT ON March 11, 1982

- APPEARANCES -

FOR THE CLAIMANT:

Claimant-Present

FOR THE EMPLOYER:

Wolf Follman,  
 Vice President  
 Property Management  
 Division  
 Sheila Close,  
 Property Manager

This case was scheduled for hearing on December 16, 1981. For non-appearance of the employer/appellant the case was dismissed. For good cause shown and timely filed the appeal is hereby reopened.

FINDINGS OF FACT

DHR/ESA 371-B (Rev. 2/81)  
 The claimant was employed from November 5, 1979, until September

15, 1981, as a Property Manager at a pay rate of \$290 per week. The claimant gave two weeks notice and resigned his job as property manager because the job was too much for him. The claimant had no experience as a property manager when he was hired, he was told about the job duties and problems of this work that he would do. These duties did not change during his employment although the volume of work became greater. Part of the claimant's difficulty in coping with his work requirements was due to his own inexperience as a property manager and lack of being organized. The claimant discussed his difficulties with the employer, when the job pressures that he was experiencing did not abate, he decided to leave.

The claimant has found subsequent employment.

#### COMMENTS

Once it has been established that the claimant quit his employment, the burden is on him to establish that he had good cause for valid circumstances for so doing. In the instant case, the claimant has provided a substantial reason for quitting which is not good cause but does constitute valid circumstances.

#### DECISION

The unemployment of the claimant is due to voluntarily leaving his job without good cause, within the meaning of Section 6(a) of the Maryland Unemployment Insurance Law. Benefits are denied from the week beginning September 13, 1981, and the six weeks immediately after.

The determination of the Claims Examiner is hereby affirmed.

Date of Hearing: 1/26/82

rc

(056)-Kareiva

Copies mailed to:

Claimant

Employer

Unemployment Insurance - Westminster