

 **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.: 354-BR-90

Date: April 6, 1990

Claimant: Barbara J. Flack

Appeal No.: 9000671

S. S. No.:

Employer: Sparks Personnel Service

L O. No.: 43

Appellant: CLAIMANT

Issue: Whether the claimant left work voluntarily, without good cause, within the meaning of Section 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, IF YOU RESIDE IN 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 May 6, 1990

— 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.

The Board adopts the findings of fact of the Hearing Examiner.¹ However, the Board makes the following additional findings of fact.

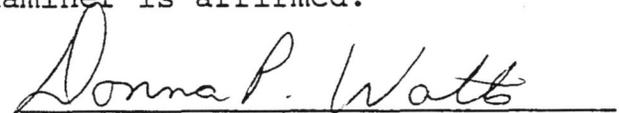
The claimant left her assignment before it was finished. The normal procedure would have been for the claimant to finish the assignment and contact the employer regarding another assignment. The claimant did not do this.

The claimant's testimony that she panicked when the end date for the assignment was drawing near and she was having car trouble is not credible. The claimant had work, she had been working for this employer for a long time and there was a likelihood of other job assignments. The claimant offers as a reason for leaving this employer the fact that she was having car trouble. However, she doesn't explain how she was going to transport herself to assignments given to her by another temporary agency.

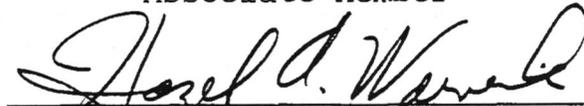
DECISION

The claimant left work voluntarily, without good cause, or valid circumstances, within the meaning of Section 6(a) of the Maryland Unemployment Insurance Law. She is disqualified from receiving benefits from the week beginning December 10, 1989 and until she becomes reemployed, earns at least ten times her weekly benefit amount and thereafter becomes unemployed through no fault of her own.

The decision of the Hearing Examiner is affirmed.



Associate Member



Associate Member

¹ The Board notes, however, that on page 2, line four (4) of the decision, the word "heart" appears in error. The correct word is "car."

kmb

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CLAIMANT

EMPLOYER

UNEMPLOYMENT INSURANCE - WHEATON

 **Maryland**
Department of Economic &
Employment Development

William Donald Schaefer, Governor
J. Randall Evans, Secretary

William R. Merriman, Chief Hearing Examiner
Louis Wm. Steinwedel, Deputy Hearing Examiner

1100 North Eutaw Street
Baltimore, Maryland 21201

Telephone: 333-5040

— D E C I S I O N —

Claimant:	Barbara J. Flack	Date:	Mailed: 2/7/90
		Appeal No.:	9000671.
		S.S.No.:	
Employer:	Sparks Personnel Service	LO. No.:	043
		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 OFFICE OF THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT, 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 FURTHER APPEAL EXPIRES AT MIDNIGHT ON February 22, 1990

— A P P E A R A N C E S —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

Barbara J. Flack - Present

Suzy Delany, Branch
Manager

FINDINGS OF FACT

The claimant was employed from July 1988 on temporary long-term assignment doing office work at one of this employer's business clients located in Bethesda, Maryland at a pay rate of \$12.25 per

hour for full-time employment. This assignment was to end December 21, 1989. The claimant's last day of work at the place of employment was December 15, 1989. The claimant experienced heart problems on her way to work on Monday, December 18, 1989 and called the employer to explain. On the following day, she was again experiencing these problems. Knowing that the assignment was to end on December 21, 1989 and that the car was going to be costly to repair and realizing that she had to find immediate full-time work, the claimant signed up with another temporary agency. She told this employer that she was not available until further notice.

CONCLUSIONS OF LAW

It is held that the claimant voluntarily quit her employment without good cause, within the meaning and intent of Section 6(a) of the Maryland Unemployment Insurance Law for reasons which

In evaluating the situation it is held that valid circumstances sufficient to warrant a weekly disqualification have been presented. The determination of the Claims Examiner will be modified.

DECISION

The claimant voluntarily quit her employment without good cause, within the meaning of Section 6(a) of the unemployment insurance law. Benefits are denied for the week beginning December 10, 1989 and the nine weeks immediately thereafter.

The determination of the Claims Examiner is hereby modified .



P. J. Hackett
Hearing Examiner

Date of Hearing: January 31, 1990
km/Specialist ID: 43723
Cassette No: 434.b
Copies mailed on February 7, 1990 to:

Claimant
Employer
Unemployment Insurance Wheaton - (MABS)