



# Maryland

## Department of Economic & Employment Development

*William Donald Schaefer, Governor  
J. Randall Evans, Secretary*

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

**— DECISION —**

	Decision No.:	1142-BR-89	
	Date:	Dec. 29, 1989	
Claimant:	Charles Armstrong	Appeal No.:	8911815
		S. S. No.:	
Employer:		LO. No.:	15
		Appellant:	CLAIMANT
Issue:	Whether the claimant was able to work, available for work and actively seeking work within the meaning of Section 4(c) of the law.		

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**—NOTICE OF RIGHT OF APPEAL TO COURT —**

YOU MAY FILE AN APPEAL FROM THIS DECISION IN ACCORDANCE WITH THE LAWS OF MARYLAND. THE APPEAL MAYBE 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.

January 28, 1990

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT ON

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**— 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 Court of Appeals ruled in 1978 that it was not necessary for a claimant

to own a working automobile in order to be eligible for unemployment, and no disqualification can be imposed so long as the claimant is making a reasonable and active search for work under the circumstances. Employment Security Administration, Board of Appeals v. Smith, 282 Md. 267, 383 A.2d 1108 (1978). See also, Evans v. Potomac Insulation, Inc., 696-BR-83 (the lack of a driver's license does not automatically show that a claimant is not able and available for work).

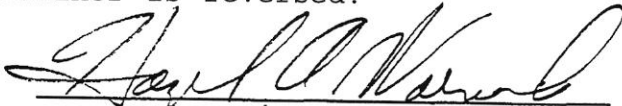
The claimant testified that he searched for work to the best of his ability; he applied for various jobs in his classification (carpenter). He called companies first and sent in applications, but when these resulted in possible jobs, requiring in-person interviews, he made arrangements to be driven. The reasonableness of this method under the circumstances, was proven by the fact that the claimant was successful in obtaining a job and was working at the time of the hearing.

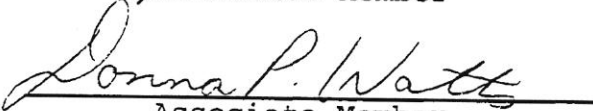
Therefore, the decision of the Hearing Examiner is reversed, and the claimant is not disqualified under Section 4(c) of the law.

#### DECISION

The claimant was able to work, available for work and actively seeking work within the meaning of Section 4(c) of the Maryland Unemployment Insurance Law. No disqualification is imposed under this section of the law.

The decision of the Searing Examiner is reversed.

  
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Associate Member

  
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Associate Member

Hw:w  
kbm  
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CLAIMANT  
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