

- DECISION -

Claimant:	Decision No.:	1270-BR-13
HULIANA ROMUALDO	Date:	May 3, 2013
	Appeal No.:	1242679
	S.S. No.:	
Employer:	L.O. No.:	63
	Appellant:	Claimant

Issue: Whether the claimant is able, available for work and actively seeking work within the meaning of the MD Code Annotated, Labor and Employment Article, Title 8 Sections 903 and 904; and/or whether the claimant is entitled to sick claim benefits within the meaning of Section 8-907.

- NOTICE OF RIGHT OF APPEAL TO COURT -

You may file an appeal from this decision in the Circuit Court for Baltimore City or one of the Circuit Courts in a county in Maryland. The court rules about how to file the appeal can be found in many public libraries, in the *Maryland Rules of Procedure, Title 7, Chapter 200*.

The period for filing an appeal expires: June 3, 2013

REVIEW OF THE RECORD

After a review of the record, the Board adopts the hearing examiner's findings of fact. The Board makes the additional findings of fact and finds that a modification of the hearing examiner's decision is warranted.

The claimant always had the availability of a flexible school schedule, even prior to December 2012. The claimant had made an active search for work with jobs that traditionally ended at 5:00 p.m. At the point in time the claimant was offered a job, the job required the claimant to work until 6 p.m. which appeared to conflict with her school schedule. The claimant, however, with due diligence, was able to secure a flexible school schedule.