



*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.:	1552-BR-91
	Date:	December 11, 1991
Claimant: Robert Settle	Appeal No.:	9107647
	S S. No.:	
Employer: Bill Rohrbaughs Charter Serv. Corporation	L. O. No.:	15
	Appellant:	CLAIMANT
Issue:	Whether the claimant was able to work, available for work, and actively seeking work within the meaning of Section 8-903 of the Labor and Employment Article.	

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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 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

January 10, 1992

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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 modifies the decision of the Hearing Examiner.

At the time that the claimant filed for benefits in January, 1991, he had just lost his full-time job with Monumental Life and was expecting to begin work with Carroll County on February 1, 1991. This expectation was reasonable, given the bona fide offer of employment from Carroll County. Therefore, his refusal of the offer to work full time as a bus driver for Rohrbaughs was not unreasonable at that time. See, Bentz v. Pleasant View Nursing Home, 411-BR-85.

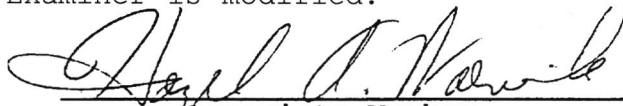
The starting date was delayed by Carroll County due to events unforeseen by the claimant. According to the letter submitted by the claimant from Carroll County Detention Center, the offer of work remained until approximately two months later when it was retracted. At that point, approximately April 1, 1991, the claimant knew he would not be working full time for Carroll County and should have been willing to work full time for Rohrbaughs.

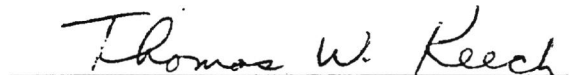
Therefore, the Board concludes that the claimant was not available for work, within the meaning of Section 8-903 of the Labor and Employment Article, but only beginning April 1, 1991 and until he started full-time work on May 13, 1991.

DECISION

The claimant was not able to work and available for work, within the meaning of Section 8-903 of the Labor and Employment Article. Benefits are denied from the week beginning March 31, 1991 until the week ending May 11, 1991.

The decision of the Hearing Examiner is modified.

  
\_\_\_\_\_  
Associate Member

  
\_\_\_\_\_  
Chairman

HW:K

kbm

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CLAIMANT

EMPLOYER

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