

-DECISION-

Claimant:
GERALDINE M WHITE

Decision No.: 3526-BH-12

Date: July 27, 2012

Appeal No.: 1139171

Employer:

S.S. No.:

L.O. No.: 60

Appellant: Claimant

Issue: Whether the claimant is eligible to receive Extended Unemployment Benefits within the meaning of MD Code Annotated, Labor and Employment Article, Section 8-1101 through 8-1108.

- 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: August 27, 2012

- APPEARANCES -

FOR THE CLAIMANT:

GERALDINE M. WHITE

FOR THE EMPLOYER:

FOR THE AGENCY:

SUSAN BASS

PRELIMINARY STATEMENT

This matter came before the Board of Appeals (Board) for legal argument only on July 10, 2012. The Agency appeared and made argument to the Board. The claimant failed to appear.

The claimant had previously been denied Extended Unemployment Benefits pursuant to *Md. Code Ann., Lab. & Empl. Art., §8-1104(e)*. The Agency proffered that the claimant has had employment since her prior disqualification from regular unemployment benefits, has submitted all necessary documents and is therefore qualified to receive Extended Unemployment Benefits.

EVALUATION OF THE EVIDENCE

The Board of Appeals has considered all of the evidence and legal argument presented in this case. The Board has also considered all of the documentary evidence introduced in this case, as well as the Department of Labor, Licensing and Regulation's documents in the appeal file.

The General Assembly declared that, in its considered judgment, the public good and the general welfare of the citizens of the State required the enactment of the Unemployment Insurance Law, under the police powers of the State, for the compulsory setting aside of unemployment reserves to be used for the benefit of individuals unemployed through no fault of their own. *Md. Code Ann., Lab. & Empl. Art., § 8-102(c)*. Unemployment compensation laws are to be read liberally in favor of eligibility, and disqualification provisions are to be strictly construed. *Sinai Hosp. of Baltimore v. Dept. of Empl. & Training, 309 Md. 28 (1987)*.

The Board reviews the record *de novo* and may affirm, modify, or reverse the findings of fact or conclusions of law of the hearing examiner on the basis of evidence submitted to the hearing examiner, or evidence that the Board may direct to be taken, or may remand any case to a hearing examiner for purposes it may direct. *Md. Code Ann., Lab. & Empl. Art., § 8-510(d)*; *COMAR 09.32.06.04*. The Board fully inquires into the facts of each particular case. *COMAR 09.32.06.03(E)(1)*.

FINDINGS OF FACT

The Board, except for the last sentence, adopts the hearing examiner's findings of fact.

The claimant has been employed as a babysitter since her disqualification from regular unemployment insurance benefits. The claimant has submitted all documents required of her to receive extended benefits.

CONCLUSIONS OF LAW

Md. Code Ann., Labor & Emp. Article, Section 1104(e) provides that if an individual is disqualified from regular benefits for a specific number of weeks under Section 8-1001, 8-1003, or 8-1005 of this title, the individual may not receive extended benefits unless: