

Maryland

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

1100 North Eutaw Street
Baltimore, Maryland 21201
(301) 333-5033



William Donald Schaefer, Governor
J. Randall Evans, Secretary

BOARD OF APPEALS

Thomas W. Keech, Chairman
Hazel A. Warmick, Associate Member
Donna P. Watts, Associate Member

— DECISION —

Decision No.: 49-BR-89

Date: January 19, 1989

Claimant: John Zebron

Appeal No.: 8811211

S. S. No.:

Employer:

L O. No.: 2

Appellant: CLAIMANT

Issue: Whether the claimant failed, without good cause, to apply for or to accept available, suitable work within the meaning of Section 6(d) 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.

February 18, 1989

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT ON

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

REVIEW ON THE RECORD

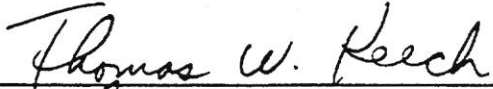
Upon review of the record in this case, the Board of Appeals agrees with the decision of the Hearing Examiner but disagrees with a portion of the reasoning of the Hearing Examiner. The

Board concludes that the Hearing Examiner misapplied the Barley case by reading into it a conclusion that the Hearing Examiner could not independently review 'a decision of the job service that a job is suitable. The Board concludes that the Hearing Examiner does have the authority and responsibility to decide the issue of suitability. The Board also concludes, however, that the job was suitable, under all of the circumstances. The Board concludes, therefore, that the final decision was correct and the penalty applied was appropriate.

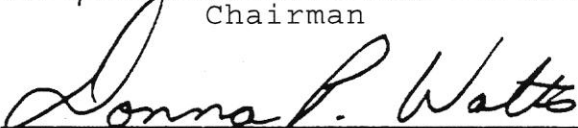
DECISION

The claimant failed, without good cause, to apply for available, suitable work within the meaning of Section 6(d) of the Maryland Unemployment Insurance Law. He is disqualified from receiving benefits from the week beginning September 18, 1988 and until he becomes reemployed, earns at least ten times his weekly benefit amount, and thereafter becomes unemployed through no fault of his own.

The decision of the Hearing Examiner is affirmed.



Chairman



Associate Member

K:DW

kbm

COPIES MAILED TO:

CLAIMANT

UNEMPLOYMENT INSURANCE - GLEN BURNIE