

Maryland

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

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William Donald Schaefer, Governor
J. Randall Evans, Secretary

BOARD OF APPEALS

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

— DECISION —

	Decision No.:	1043-BR-88
	Date:	Nov. 4, 1988
Claimant:	Appeal No.:	8808789
	S. S. No.:	
Employer:	L. O. No.:	45
	Appellant:	CLAIMANT

Issue:

Whether the claimant is eligible for benefits within the meaning of Section 4(f)(3) 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.

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT ON

December 4, 1988

— 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.

The claimant did not appear at the hearing, and the employer offered very little information. The findings of fact below are made from that record.

The claimant taught school for about 14 years, apparently on a provisional certificate. On May 27, 1988, she was notified that she was terminated. On June 17, 1988, she was notified that she could be rehired if she completed a list of tasks. Rehiring, however, was contingent upon an evaluation of her credentials, and an interview scheduled for July 5, 1988. The claimant was employed as a teacher in the fall, 1988 school semester.

The claimant could not have had reasonable assurance of returning to work prior to July 5, 1988, the date of her interview. No penalty will therefore be imposed for any week prior to the week beginning July 3, 1988 under Section 4(f)(3) of the law.


Although the evidence is extremely skimpy, the Board does conclude that the claimant had reasonable assurance as of July 5, 1988.

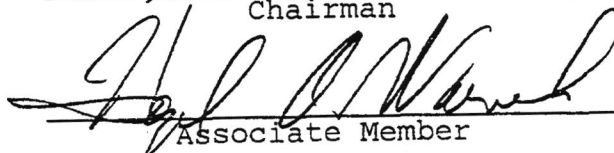
DECISION

The claimant did not have reasonable assurance of returning to work within the meaning of Section 4(f)(3) of the Maryland Unemployment Insurance Law prior to July 3, 1988. No penalty is imposed on the claimant under Section 4(f)(3) up to that date.

Beginning July 3, 1988, the claimant had reasonable assurance of returning to work within the meaning of Section 4(f)(3). Benefits based upon service for the Baltimore City School System are not payable between July 3, 1988 and the beginning of the Fall, 1988 school semester.

The decision of the Hearing Examiner is modified.


Chairman


Associate Member

K:HW

kbm

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CLAIMANT
EMPLOYER

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