

 **Maryland**  
Department of Economic &  
Employment Development

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Secretary

*Board of Appeals*  
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*Thomas W. Keech, Chairman*  
*Hazel A. Warnick, Associate Member*  
*Donna P. Watts, Associate Member*

- D E C I S I O N -

Decision No.:	1113-BR-93
Date:	June 23, 1993
Claimant: Donald Van Prooien	Appeal No.: 9302989
	S.S. No.:
Employer:	L. O. No.: 43
	Appellant: CLAIMANT
Issue:	Whether the claimant filed proper claims for benefits within the meaning of Section 8-901 of the Labor and Employment Article.

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- N O T I C E O F R I G H T O F A P P E A L T O C O U R T -

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 appeal can be found in many public libraries, in the *Annotated Code of Maryland, Maryland Rules*, Volume 2, B rules.

The period for filing an appeal expires

July 23, 1993

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- A P P E A R A N C E S -

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.

Since the claimant did visit his local office in person on January 11, 1993, the claimant should have been informed at that time of the necessity of reopening his claim. He cannot, therefore, be disqualified for the weeks ending January 16 and January 23, 1993 for a failure to file claims.

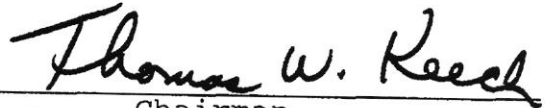
The Board adopts the findings of fact and conclusions of law of the Hearing Examiner with respect to the weeks ending December 19 and December 26, 1992, and January 2nd and 9th, 1993.

#### DECISION

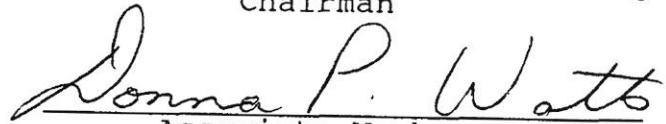
The claimant failed to file proper claims for benefits, within the meaning of Section 8-901 of the Labor and Employment Article. He is disqualified from receiving benefits for the weeks ending December 19 and 26, 1992 and January 2 and January 9, 1993.

The claimant cannot be disqualified for benefits based upon the timeliness of the claims for the weeks ending January 16 and January 23, 1993. No disqualification is imposed under §j8-901 for these weeks.

The decision of the Haring Examiner is modified.



Chairman



Associate Member

K:D

kmb

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CLAIMANT

UNEMPLOYMENT INSURANCE - WHEATON



# Maryland

## Department of Economic & Employment Development

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### — D E C I S I O N —

Date: Mailed: 3/30/93

Claimant: Donald Van Prooten

Appeal No.: 9302989

S. S. No.:

Employer:

L.O. No.: 043

Appellant: Claimant

Issue: Whether the claimant failed to file proper claims for benefits, within the meaning of MD Code, Labor and Employment Article, Title 8, Section 901.

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### — NOTICE OF RIGHT TO PETITION FOR REVIEW —

ANY INTERESTED PARTY TO THIS DECISION MAY REQUEST A REVIEW AND SUCH PETITION FOR REVIEW MAY BE FILED IN ANY OFFICE OF THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT, OR WITH THE BOARD OF APPEALS, ROOM 515, 1100 NORTH EUTAW STREET, BALTIMORE, MARYLAND 21201, EITHER IN PERSON OR BY MAIL

THE PERIOD FOR FILING A PETITION FOR REVIEW EXPIRES ON

April 14, 1993

NOTE: APPEALS FILED BY MAIL INCLUDING SELF-METERED MAIL ARE CONSIDERED FILED ON THE DATE OF THE U.S. POSTAL SERVICE POSTMARK

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### — A P P E A R A N C E S —

FOR THE CLAIMANT:

Claimant - Present

FOR THE EMPLOYER:

### FINDINGS OF FACT

The claimant filed an original claim for unemployment insurance benefits establishing a benefit year, effective December 6, 1992. He is entitled to \$223 weekly in unemployment insurance benefits. The Wheaton local office denied the claimant's benefits for the week beginning December 13, 1992 through the week ending January 23, 1993, because the claimant failed to file timely claim