



*William Donald Schaefer, Governor  
Mark L. Wasserman, Secretary*

*Board of Appeals  
1100 North Eutaw Street  
Baltimore, Maryland 21201  
Telephone: (410) 333-5032*

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

**— DECISION —**

	Decision No.:	1132-BR-92	
	Date:	July 15, 1992	
Claimant:	Robert X. Mallett, III	Appeal No.:	9206919
		S. S. No.:	
Employer:		L. O. No.:	1
		Appellant:	CLAIMANT

Issue: Whether the claimant was able, available 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 August 14, 1992

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**— APPEARANCES —**

FOR THE CLAIMANT: REVIEW ON THE RECORD FOR THE EMPLOYER:

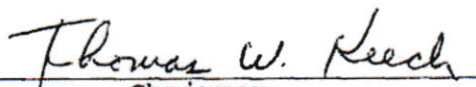
Upon review of the record in this case, the Board of Appeals reverses the decision of the Hearing Examiner.

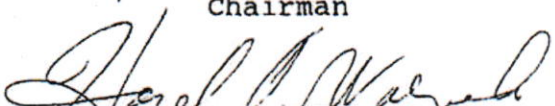
The Board adopts the findings of fact of the Hearing Examiner. Based on these facts, the Board concludes that the claimant is available for work. The claimant was taking three college courses, and he worked out an arrangement with each professor so that the course could be worked around any work schedule. Since the claimant's part-time classes have been arranged to be flexible enough to change to accommodate any work schedule, there is no reason to disqualify the claimant under availability.

DECISION

The claimant is not available for work within the meaning of Section 8-903 of the Labor and Employment Article. No disqualification is imposed based on the claimant's attendance at three college courses in the spring semester of 1992.

The decision of the Hearing Examiner is reversed.

  
\_\_\_\_\_  
Chairman

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

K:H

kmb

COPIES MAILED TO:

CLAIMANT

UNEMPLOYMENT INSURANCE - BALTIMORE

 **Maryland**  
Department of Economic &  
Employment Development

*William Donald Schaefer, Governor*  
*Mark W. Wasserman, Secretary*

*Gary W. Wiedel, Administrator*  
*Wm. Steinwedel, Chief Hearing Examiner*

*Room 511*  
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*Telephone: (410) 333-5040*

**— DECISION —**

	Date:	April 28, 1992
Claimant:	Robert X. Mallett. III	Appeal No.: 9206919
	S. S. No.:	
Employer:	L.O. NO.:	1
	Appellant:	Claimant

Issue: Whether the claimant was able, available and actively seeking work under the MD Code, Labor and Employment Article, Title 8, Section 903.

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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

May 13, 1992

THE PERIOD FOR FILING A PETITION FOR REVIEW EXPIRES ON

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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**— APPEARANCES —**

FOR THE CLAIMANT:

FOR THE EMPLOYER:

Present

OTHER : DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT  
Helen Sloan - Claims Specialist IV

**FINDINGS OF FACT**

The claimant has been a student at the University of Baltimore matriculating toward a degree in corporate communication since 1989.