



Maryland

Department of Economic &
Employment Development

William Donald Schaefer, Governor
J. Randall Evans, Secretary

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

— DECISION —

	Decision No.:	1470-BR-92
	Date:	August 25, 1992
Claimant: Eduardo Nagy	Appeal No.:	92-UCX-74
	S. S. No.:	-
Employer:	L. O. No.:	43
	Appellant:	CLAIMANT
Issue:	Whether the claimant failed to file proper claims for benefits within the meaning of Section 8-901 of the Labor and Employment Article.	

— 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

September 24, 1992

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

REVIEW ON THE RECORD

Upon review of the record in this case, the Board of Appeals reverses the decision of the Hearing Examiner. This decision affects only the disqualification for failure to fill proper claims.

The claimant was physically present in the office and attempting to file a claim on March 16, 1992 (effective March 15, 1992). Due to an error on the part of the claimant's employer, a necessary form, the DD214, was not available. The claimant received it on March 28 and brought it to the office shortly thereafter.

The Board concludes that the claimant did file proper claims for the week beginning March 15, 1992. A claimant cannot be held responsible for the employer's failure to provide a required document.

This decision, however, has no effect on the claimant's penalty for not actively seeking work, a penalty which is not before the Board at this time.

DECISION

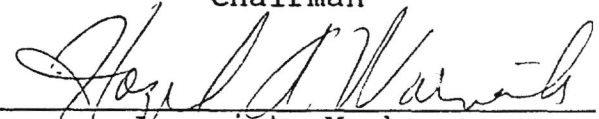
The claimant filed timely claims for benefits. He is not disqualified from receiving benefits within the meaning of Section 8-901 of the Labor and Employment Article for the week beginning March 15, 1992 or the following week.

The decision of the Hearing Examiner is reversed.

This decision has no effect on the claimant's other penalty for not actively seeking work.



Chairman



Associate Member

K:H

kmb

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CLAIMANT

EMPLOYER

UNEMPLOYMENT INSURANCE - WHEATON