



# DEPARTMENT OF EMPLOYMENT AND TRAINING

STATE OF MARYLAND  
1100 NORTH EUTAW STREET  
BALTIMORE, MARYLAND 21201

383 - 5032

## —DECISION—

STATE OF MARYLAND  
HARRY HUGHES  
Governor

BOARD OF APPEALS  
THOMAS W. KEECH  
Chairman

HAZEL A. WARNICK  
MAURICE E. DILL  
Associate Members

SEVERN E. LANIER  
Appeals Counsel

CLAIMANT: Daniel A. Trey

DECISION NO.: 224-BR-84

DATE: February 24, 1984

APPEAL NO.: 13888

S. S. NO.:

EMPLOYER: Ansetta Associates, Ltd.

LO. NO.: 5

APPELLANT: CLAIMANT

ISSUE: Whether the Claimant failed, without good cause, to accept an offer of available, suitable work, within the meaning of §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 MAYBE TAKEN IN PERSON OR THROUGH AN ATTORNEY IN THE CIRCUIT COURT OF BALTIMORE CITY, OR THE CIRCUIT COURT OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT

March 25, 1984

## —APPEARANCE—

FOR THE CLAIMANT:

FOR THE EMPLOYER:

## REVIEW ON THE RECORD

Upon a review of the record in this case, the Board of Appeals reverses the decision of the Appeals Referee and concludes that the Claimant did not refuse an offer of suitable work, within the meaning of §6(d) of the Law.


The Claimant did not accept the offer to return to Ansetta Associates, Ltd. because of a medical condition; this is documented by a physician's statement. Under §6(d), one of the factors in determining suitability for a particular Claimant is "the degree of risk involved to his health, . . . [and] his physical fitness. . . . Clearly, this job, which involved construction work, was not suitable within the meaning of §6(d).

The Board notes that the Claimant has been disqualified under §4(c) of the Law, from October 9, 1983, in a separate case, Appeal No. 13686 and this decision is final.

DECISION

The Claimant did not fail to accept an offer of available suitable work, within the meaning of §6(d) of the Maryland Unemployment Insurance Law. He is eligible for benefits from the week beginning October 3, 1983 and thereafter.

The decision of the Appeals Referee is reversed.

  
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Associate Member

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

W:D  
dp

COPIES MAILED TO:

CLAIMANT

EMPLOYER

Ansetta Associates, Ltd.

UNEMPLOYMENT INSURANCE - FREDERICK