

# 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.:	684-BH-88	
	Date:	August 8, 1988	
Claimant:	William Harvey	Appeal No.:	8800712
		S. S. No.:	
Employer:	University of Maryland College Park	L O. No.:	1
		Appellant:	CLAIMANT

**Issue:**

Whether the claimant performed services in covered employment, within the meaning of Section 20(g) 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.

September 7, 1988

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT ON

**— APPEARANCES —**

FOR THE CLAIMANT:

William Harvey, Claimant

FOR THE EMPLOYER:

Michael Gallagher,  
Chief, U. I. Unit  
John T. McGucken, Legal Counsel, DEED"

## EVALUATION OF EVIDENCE

The Board of Appeals has considered all of the evidence presented, including the testimony offered at the hearings. The Board has also considered all of the documentary evidence introduced in this case, as well as the Department of Economic and Employment Development's documents in the appeal file.

## FINDINGS OF FACT

The claimant was employed as a research assistant for the University of Maryland, Baltimore Campus, from September 1, 1986 to August 31, 1987. The claimant was separated from employment due to lack of work. During the time the claimant was employed as a research assistant, he was not a student at the University of Maryland.

## CONCLUSIONS OF LAW

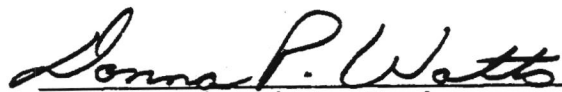
Section 20(g)(8)(x) of the Maryland Unemployment Insurance Law provides that service performed in the employment of a school, college or university, if that service is performed by a student who is enrolled and is regularly attending classes at that school, college or university, will not be covered employment under any program of the Maryland Unemployment Insurance.

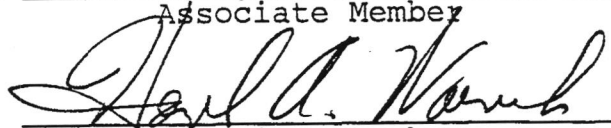
This section of the law does not disqualify the claimant from receiving unemployment insurance benefits due to the fact that he was not a student at the University of Maryland during the time that he worked as a research assistant.

## DECISION

The claimant's earnings were from covered employment as defined in Section 20(g) of the Maryland Unemployment Insurance Law. No disqualification is imposed under this section of the law.

The decision of the Hearing Examiner is reversed.

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

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

DW:W  
kbm

Date of Hearing: July 12, 1988

COPIES MAILED TO:

CLAIMANT

EMPLOYER

UNEMPLOYMENT INSURANCE - BALTIMORE