



**DEPARTMENT OF HUMAN RESOURCES
EMPLOYMENT SECURITY ADMINISTRATION**

1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201

383-5032
- DECISION -

STATE OF MARYLAND

HARRY HUGHES
Governor

KALMAN R. HETTLEMAN
Secretary

BOARD OF APPEALS

JOHN J. KENT
Chairman

HENRY G. SPECTOR
HAZEL A. WARNICK
Associate Members

SEVERN E. LANIER
Appeals Counsel

DECISION NO.: 71-BH-82

DATE: Jan. 20, 1982

APPEAL NO.: 07771

S. S. NO.:

CLAIMANT: Carolyn Ann Bunjon

EMPLOYER: Church Hospital

L. O. NO.: 27

APPELLANT: REOPENED CASE
CLAIMANT APPEAL

ISSUE Whether the Claimant was able to work, available for work and actively seeking work within the meaning of Section 4(c) 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 SUPERIOR 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

February 19, 1982

- APPEARANCES -

FOR THE CLAIMANT:

Carole A. Bunjon - Claimant
Kathleen Pontone - Atty. At Law

FOR THE EMPLOYER:

Lisa Olson-
Reed, Roberts
Christine Roberts-
Employee Relations
Coordinator

EVIDENCE CONSIDERED

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 into this case, as well as Employment Security Administration's documents in the appeal file.

FINDINGS OF FACT

The Claimant was first employed as a nurse by Church Home and Hospital in October of 1967. Her last position with this Employer was as a nurse practitioner. She was laid off on March 11, 1980 due to a lack of work.

The Claimant, who had recently been married, began to experience financial problems. She and her husband owned two homes, one in Baltimore and one in Ocean City, Maryland. Together they decided to move to the house in Ocean City on account of the substantially lower mortgage payments. The Claimant moved to the house on the Eastern Shore on June 10, 1980. The Claimant applied for unemployment benefits effective July 27, 1980.

After her move to the Eastern Shore, the Claimant sought work solely as a nurse practitioner for an extended period of time, stretching for at least twenty-six weeks past July 27, 1980. The Claimant accepted a job in January of 1981 which carried the title of nurse practitioner, but which turned out really to be a job as an alcoholism counselor. The Claimant resigned that position in July of 1981 and took a position at Peninsula General Hospital as a nurse. There are some prospects that this job may develop into a job as a nurse practitioner.

A nurse practitioner is a job with more professional responsibilities than that of a registered nurse. The Claimant took an additional year of courses in order to become eligible for the position of nurse practitioner. A nurse practitioner takes patient histories and physicals, writes orders for tests, drugs and other therapeutic procedures, make the rounds of patients, assesses the patients and writes orders. All these duties are beyond the responsibilities of registered nurses. A registered nurse is paid at a pay rate of between \$7.42 and \$8.73 an hour, while a non-certified nurse practitioner is paid at a rate of \$9.09 to \$10.74 an hour.

There are thirteen hospitals in the Baltimore area which employ one or more nurse practitioners. There is no evidence that there were any job openings in any of these locations for the position of nurse practitioner at the time the Claimant was unemployed or moved. There were little or no job opportunities as a nurse practitioner on the Eastern Shore of Maryland during the time the Claimant was seeking work, but the Claimant discovered this only after diligent applications for this type of employment. The Claimant, in addition to applying for available nurse practitioner positions, attempted to create such positions by interviewing with various doctors and hospitals. The Claimant did not refuse any offers of work during the period her claims were filed, except for an offer of a part-time nursing job which consisted of two nights of work a week. The Claimant listed, when she applied for unemployment insurance benefits, the dates and times on which she would prefer to work, but she never refused to work any particular days of the week or any shift.