

Maryland

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

1100 North Eutaw Street
Baltimore, Maryland 21201
(301) 333-5033



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.:	539-BR-89
	Date:	June 23, 1989
Claimant: Clearthur Williams	Appeal No.:	8811607
	S. S. No.:	
Employer: National Applicators ATTN: Personnel	L. O. No.:	50
	Appellant:	CLAIMANT

Whether the claimant left work voluntarily, without good cause, within the meaning of Section 6(a) 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, IF YOU RESIDE IN BALTIMORE CITY, OR THE CIRCUIT COURT OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

JULY 23, 1989

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT ON

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

REVIEW ON THE RECORD

Upon review of the record in this case, including the medical documents submitted by the claimant with his letter of appeal,

which the Board has admitted into evidence¹, the Board modifies the decision of the Hearing Examiner and concludes that the claimant voluntarily quit his job without good cause but for valid circumstances within the meaning of Section 6(a).

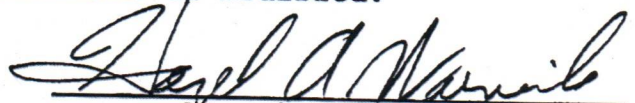
The claimant's wife was suffering from a serious illness. She was living in North Carolina with their two children; the claimant had resided in Washington, D.C. Because of his wife's illness, the claimant resigned from his employment and moved back to North Carolina to help take care of his wife and children.

The Board concludes that the claimant quit due to circumstance relating to the health of his wife, who had to be cared for by the claimant, and this is a cause of such a necessitous nature that he had no reasonable alternative other than to leave. This is a valid circumstance under Section 6(a).

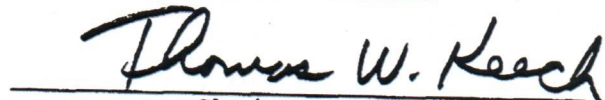
DECISION

The claimant left work voluntarily, without good cause but for valid circumstances, within the meaning of Section 6(a) of the Maryland Unemployment Insurance Law. He is disqualified from receiving benefits from the week beginning September 11, 1988 and the nine weeks immediately following.

The decision of the Hearing Examiner is modified.



Associate Member



Chairman

HW:K

kbm

COPIES MAILED TO:

CLAIMANT

EMPLOYER

OUT-OF-STATE CLAIMS

¹Copies of these documents were mailed to the employer, along with a letter giving the employer an opportunity to comment on or object to their introduction into evidence. No response from the employer was received.

STATE OF MARYLAND
APPEALS DIVISION
1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201
(301) 383-5048

STATE OF MARYLAND
William Donald Schaefer
Governor

- DECISION -

Claimant: Clearthur Williams

Employer: National Applicators

Mailed: 11/28/88

Date: 8811607

Appeal No.:

S.S. No.:

L.O. No.: 50

Appellant:

Claimant

Issue: Whether the unemployment of the claimant was due to leaving work voluntarily, without good cause, within the meaning of Section 6(a) of the Law.

- 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 EMPLOYMENT SEC. OFFICE OR WITH THE APPEALS DIVISION, ROOM 818, 1102 NORTH EUTAW STREET, BALTIMORE, MARYLAND 21201, EITHER IN PERSON OR BY MAIL.

THE PERIOD FOR FILING A PETITION FOR REVIEW EXPIRES AT MIDNIGHT ON

12/13/88

NOTICE, APPEALS FILED BY MAIL, INCLUDING SELF-METERED MAIL, ARE CONSIDERED FILED ON THE DATE OF THE U.S. POSTAL SERVICE POSTMARK.

- APPEARANCES -

FOR THE CLAIMANT:

FOR THE EMPLOYER:

Claimant-Present

Not Represented

FINDINGS OF FACT

The claimant was employed from March 1, 1976 and at the time of separation was working as a Laborer at a pay rate of \$9.25 hour for full-time work. On or about September 19, 1988, he quit his employment to move back to North Carolina to be with his wife and children in that his wife was suffering from cancer and needed him at home.

The claimant has presented no medical documentation to verify his contention.

CONCLUSIONS OF LAW

It is held that the claimant voluntarily quit his employment for reasons which do not constitute good cause for so doing, within the meaning and intent of Section 6(a) of the Maryland Unemployment Insurance Law. It is further held that in the absence of medical verification, valid circumstances have not been established. The determination of the Claims Examiner must be affirmed.

DECISION

The claimant voluntarily quit his employment, without good cause connected with the work, within the meaning of Section 6(a) of the Maryland Unemployment Insurance Law. Benefits are denied for the week beginning September 11, 1988 and until re-employed earning ten times his weekly benefit amount (\$1,760) and thereafter becomes unemployed through no fault of his own.

The determination of the Claims Examiner is hereby affirmed.



P.J. Hackett
Hearing Examiner

Date of hearing: 11/22/88
rc
(7815-A)-Specialist ID: 50524
Copies mailed on 11/28/88 to:

Claimant
Employer
Out of State Claims - MABS