

**- DECISION -**

Claimant:  
PAULINE BENJAMIN

Decision No.: 10-BR-03

Date: January 07, 2003

Appeal No.: 0225979

S.S. No.:

Employer:

L.O. No.: 65

Appellant: Claimant

Issue: Whether the claimant is able, available for work and actively seeking work within the meaning of the MD Code Annotated, Labor and Employment Article, Title 8 Sections 903 and 904; and/or whether the claimant is entitled to sick claim benefits within the meaning of Section 8-907.

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**- NOTICE OF RIGHT OF APPEAL TO COURT -**

You may file an appeal from this decision in the Circuit Court for Baltimore City or one of the Circuit Courts in a county in Maryland. The court rules about how to file the appeal can be found in many public libraries, in the Maryland Rules of Procedure, Title 7, Chapter 200.

The period for filing an appeal expires: February 06, 2003

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**REVIEW ON THE RECORD**

Upon review of the record in this case, the Board of Appeals adopts the findings of fact of the Hearing Examiner. However the Board concludes that these facts warrant a different conclusion of law.

Section 8-903 provides that a claimant must be able to work available to work and actively seeking work in each week for which benefits are claimed.

The law requires a claimant to be able, available and actively seeking full time employment without substantial restrictions. The claimant is making her required weekly work searches. The fact that the claimant is spending a total of eight hours a week for two months, attending training that will lead to guaranteed employment should not be a bar to the receipt of unemployment benefit. The claimant was attempting to maximize her employment potential.

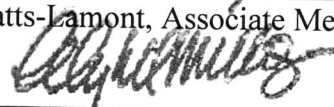
### DECISION

The claimant is able to work, available for work and actively seeking work within the meaning of Maryland Code Annotated, Labor and Employment Article, Title 8, Section 903. Benefits are allowed from the week beginning September 15, 2002.

The decision of the Hearing Examiner is reversed.



Donna Watts-Lamont, Associate Member



Clayton A. Mitchell, Sr., Associate Member

Copies mailed to:  
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Michael Taylor, Agency Representative