



Maryland

Department of Economic & Employment Development

William Donald Schaefer
Governor
Mark L. Wasserman
Secretary

Board of Appeals
1100 North Eutaw Street
Baltimore, Maryland 21201
Telephone: (410) 333-5032

- DECISION -

Claimant:
SUSAN A. ENSEY

Decision No.: 01355-BR-94

Date: April 22, 1994

Appeal No.: 9402052

Employer:

S.S. No.:

L.O. No.: 11

Appellant: Claimant

Issue: Whether the claimant was able, available and actively seeking work within the meaning of the Maryland Code, Labor and Employment Article, Title 8 Section 903.

- 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: May 22, 1994

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 of the Labor and Employment Article requires that a claimant be able to work, available to work and actively seeking work in order to receive unemployment benefits.

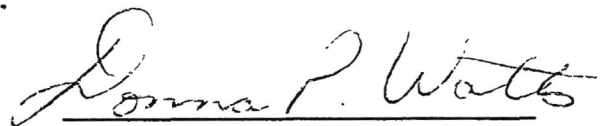
It is not a restriction on your availability to work for a parent to state that if their child becomes ill or the child's school is required to close unexpectedly she would be required to pick her up.

In today's real world the majority of mother's work and when emergencies arise must leave work to pick up their children. Available day care does not provide transportation services.

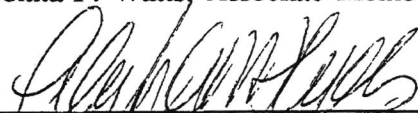
DECISION

The claimant is able to work, available to work and actively seeking work within the meaning of §8-903 of the Labor and Employment Article. No disqualification from the receipt of benefits shall be imposed under this section of the law from the week beginning January 9, 1994.

The decision of the Hearing Examiner is reversed.



Donna P. Watts, Associate Member



Clayton A. Mitchell, Sr., Associate Member

kjk

Copies mailed to:

SUSAN A. ENSEY

Local Office - #11