

 **Maryland**
Department of Economic &
Employment Development

William Donald Schaefer, Governor
J. Randall Evans, Secretary

Board of Appeals
1100 North Eutaw Street
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Board of Appeals
Thomas W. Keech, Chairman
Hazel A. Warnick, Associate Member
Donna P. Watts, Associate Member

— DECISION —

	Decision No.:	1482-BR-91
	Date:	Nov. 27, 1991
Claimant: David L. Cooper	Appeal No.:	9113522
	S. S. No.:	
Employer: Robert E. Bittinger	L. O. No.:	14
	Appellant:	CLAIMANT
Issue:	Whether the claimant failed, without good cause, to accept available, suitable work within the meaning of Section 8-1005 of the Labor and Employment Article.	

— 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.

THE PERIOD FOR FILING AN APPEAL EXPIRES

December 27, 1991

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

REVIEW ON THE RECORD

Upon review of the record in this case, the Board of Appeals modifies the decision of the Hearing Examiner.

The Board agrees that the job that the claimant refused was suitable and that he failed to accept it without good cause.

However, the Board finds that there are mitigating circumstances, warranting a reduced penalty. The claimant was unable to return to work because his driver's license had been suspended and he had already been stopped once by the police and warned that he could not drive until his license was reinstated. Without a driver's license, he was unable to get to work. The claimant was attempting to get his license back, but still owed a substantial sum of money to the state of West Virginia, where his license was issued; his license would not be reinstated until he paid the full amount.

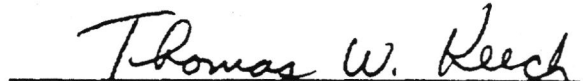
Under these circumstances, the Board finds that there are mitigating circumstances and a minimum disqualification will be imposed.

DECISION

The claimant failed to accept suitable work, within the meaning of Section 8-1005 of the Labor and Employment Article. He is disqualified from receiving benefits from the week beginning July 7, 1991 and the four weeks immediately following.

The decision of the Hearing Examiner is modified.


Associate Member


Chairman

H:K
kmb

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CLAIMANT

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