

Maryland

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT

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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.: 657 -BH-88
Date: August 1, 1988

Claimant: Laurie Chambers

Appeal No.: 8801255

S. S. No.:

Employer: Fannin & Walker Serv., Inc.

L. O. No.: 22

Appellant: CLAIMANT

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 CIRCUIT COURT OF BALTIMORE CITY, IF YOU RESIDE IN BALTIMORE CITY, OR THE CIRCUIT COURT OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

August 31, 1988

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT ON

— APPEARANCES —

FOR THE CLAIMANT:

Laurie Chambers, Claimant

FOR THE EMPLOYER:

John T. McGucken, Legal Counsel, DEED

EVALUATION OF EVIDENCE

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 in this case, as well as the Department of Economic and Employment Development's documents in the appeal file.

FINDINGS OF FACT

The claimant had previously worked at Fannin & Walker Services, Inc., a jewelry store, from August of 1986 until November of 1987. This was a retail business at which she regularly worked some evening hours. Her only other fulltime job experience was at a different retail outlet with similar hours. She had earned her college degree in business administration in May of 1985.

The claimant was unable to work from the period beginning with her separation from Fannin & Walker and continuing until January 11, 1988. This was because of the advanced stages of pregnancy and the birth of her second child.

Although the claimant was physically able to work beginning in January, she did not look for any jobs which required the type of evening hours that she had experienced in her previous work situations. She was unaware at the time that one of the primary types of job she was seeking, management trainee in the banking profession, required such evening hours. She was, in fact, unwilling to work these hours until about March of 1988.

Beginning in March of 1988, the claimant became aware that the type of job she was seeking did require some evening hours. She also became aware that a type of day care was available which would accommodate such a schedule. So, beginning in March of 1988, the claimant relaxed her restrictions on the hours she would work and began to look for jobs which might include some evening work.

CONCLUSIONS OF LAW

The Board concludes that the claimant was not actively seeking work without unreasonable restrictions prior to March of 1988. Although she did have a business degree, she had no experience in work other than retail, and the type of business employment she was seeking required the type of evening hours that she was not willing to spend at that time.