

Maryland

DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT



BOARD OF APPEALS

Thomas W. Keech
Chairman

Hazel A. Warnick
Associate Member

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

William Donald Schaefer, Governor
J. Randall Evans, Secretary

Decision No.: 829-BR-87
Date: Nov. 24, 1987
Claimant: Roy O. Sather Appeal No.: 8706531
S. S. No.:
Employer: LO. No.: 50
Appellant: CLAIMANT

Issue: Whether the claimant is 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 MAYBE TAKEN IN PERSON OR THROUGH AN ATTORNEY IN THE CIRCUIT COURT OF BALTIMORE CITY, OR THE CIRCUIT COURT OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT ON December 24, 1987

—APPEARANCES—

FOR THE CLAIMANT

FOR THE EMPLOYER:

REVIEW ON THE RECORD

The Board of Appeals, in considering the claimant's appeal of the decision that he was not meeting the requirements of Section 4(c) of the law, gave the claimant an opportunity to

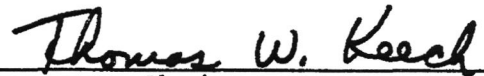
prove that his training program was approved by the Secretary within the meaning of Section 4(c). The claimant responded by sending some materials directly to the Board of Appeals. The Board, as it stated in its letter, has no authority to approve training programs under Section 4(c) of the law. On October 27, 1987, the Board referred the claimant's material to the Assistant Unemployment Insurance Director. On November 13, 1987, the Department of Economic and Employment Development issued a formal approval of the claimant's training program. Copies of this approval are attached to this decision.

Since the claimant "is in training with the approval of the Secretary" within the meaning of Section 4(c) of the law, the availability provisions of that subsection do not apply to his claim. No disqualification under that section of the law is, therefore, appropriate, and the Hearing Examiner's decision in case number 8706531 will be reversed.

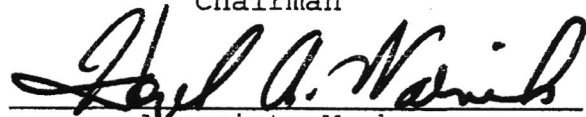
DECISION

The claimant was in training with the approval of the Secretary within the meaning of Section 4(c) of the law. No disqualification is imposed based upon that section of that law for the period between May 1, 1987 and November 9, 1987.

The decision of the Hearing Examiner is reversed.



Chairman



Associate Member

K:W

kbm

COPIES MAILED TO:

CLAIMANT

Robert E. Paul, Esq.

OUT-OF-STATE CLAIMS

Allen Berman, Assistant U. I. Director