



William Donald Schaefer, Governor
J. Randall Evans, Secretary

Board of Appeals
1100 North Eutaw Street
Baltimore, Maryland 21201
Telephone: (301) 333-5032

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

— DECISION —

	Decision No.:	1340-BR-91
	Date:	October 28, 1991
Claimant: Jeffrey Friedman	Appeal No.:	9113278
	S. S. No.:	
Employer: Maryland Treatment Center, Inc.	L. O. No.:	5
	Appellant:	CLAIMANT
Issue:	Whether the claimant left work voluntarily, without good cause, within the meaning of Section 8-1001 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

November 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 claimant voluntarily quit without good cause but finds that there are valid circumstances, warranting less than the maximum disqualification.

The claimant resigned from his job because he was experiencing severe stress and burnout on the job. He would, at times, become overcome with sadness and start crying, while counseling patients; he began losing his objectivity; this affected his ability to effectively counsel. The claimant sought treatment from a therapist but eventually decided he had to quit his job. The claimant himself is an ex-addict. Stress and burnout in this type of work is not uncommon.

In addition to the letter from his therapist, a licensed clinical social worker, the claimant also submitted a letter from a physician with the Department of Veterans Affairs. Therefore, the claimant has satisfied Section 8-1001's Requirement to submit documentation from a physician or hospital.

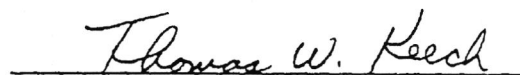
The Board finds that the claimant's psychological condition was a substantial cause for quitting, connected with his work and is thus a valid circumstance. Since some stress is inherent in this type of work, and the claimant knew this when he started the job, the Board does not find good cause for resigning. However, his documented problems resulting from both the work and from factors in the claimant's personal life, do constitute valid circumstances for leaving.

DECISION

The claimant left work voluntarily, without good cause, within the meaning of Section 8-1001 of the Labor and Employment Article. He is disqualified from receiving benefits for the week beginning December 23, 1990 and the nine weeks immediately following.

The decision of the Hearing Examiner is modified.


Associate Member


Chairman

HW:K

kbm

COPIES MAILED TO:

CLAIMANT

EMPLOYER

Yvonne Tobias, Legal Assistant
Legal Aid Bureau, Inc.

UNEMPLOYMENT INSURANCE - FREDERICK

 **Maryland**
Department of Economic &
Employment Development

William Donald Schaefer, Governor
J. Randall Evans, Secretary

William R. Merriman, Chief Hearing Examiner
Louis Wm. Steinwedel, Deputy Hearing Examiner

1100 North Eutaw Street
Baltimore, Maryland 21201

— **DECISION** —

	Date:	Mailed; 9/4/91
Claimant: Jeffrey C. Friedman	Appeal No.:	9113278
	S. S. No.:	
Employer: Maryland Treatment Center,	L. O. No.:	5
	Appellant:	Claimant

Issue: Whether the unemployment of the claimant was due to leaving work voluntarily, without good cause, within the meaning of Section 6(a) of the Law.

— **NOTICE OF RIGHT TO PETITION FOR REVIEW** —

ANY INTERESTED PARTY TO THIS DECISION MAY REQUEST A REVIEW AND SUCH PETITION FOR REVIEW MAYBE FILED IN ANY OFFICE OF THE DEPARTMENT OF ECONOMIC AND EMPLOYMENT DEVELOPMENT, OR WITH THE APPEALS DIVISION, ROOM 515,1100 NORTH EUTAW STREET, BALTIMORE, MARYLAND 21201, EITHER IN PERSON OR BY MAIL.

THE PERIOD FOR FILING A PETITION FOR REVIEW EXPIRES AT MIDNIGHT ON

9/19/91

— **APPEARANCES** —

FOR THE CLAIMANT:

Claimant-Present

FOR THE EMPLOYER:

Not Represented

FINDINGS OF FACT

The claimant was hired as an addictions counselor on July 23, 1987, at the employer's treatment center. The claimant worked closely with approximately eight to ten patients in the program at any given time.

The claimant had himself an addiction background and this plus the nature of some of the revelations of the patients contributed to a stressful atmosphere. Approximately July of 1990, the claimant began to experience increased stress partly because of the needs of the patients and because of another counselor's temporary absence. He took a week of vacation during the summer, and another two weeks in September. He advised his supervisors the stress was causing him to lose his emotional detachment, & necessary ingredient of his work. The claimant had begun seeing a social worker in May of 1989, for a different matter. He continued seeing her as the stress increased. Despite the return of the other counselor in the summer of 1990 and the resumption of normal levels of case load, the claimant decided he could no longer function effectively, and he submitted his resignation on November 24, 1990, to be effective December 24, 1990--- His last day of work was actually December 25, 1990. Other than the social worker. the claimant sought no medical treatment for his stress.

CONCLUSIONS OF LAW

Article 95A, Section 6(a) provides that an individual shall be disqualified for benefits where his unemployment is due to leaving work voluntarily, without good cause arising from or connected with the conditions of employment or actions of the employer or without serious, valid circumstances. The preponderance of the credible evidence in the record will support a conclusion that the claimant voluntarily separated from employment, without good cause or valid circumstances, within the meaning of Section 6(a) of the Law.

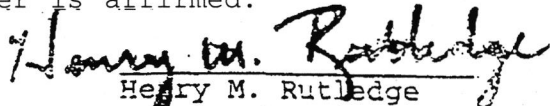
The stress inherent in claimant's work remained approximately the same from his hire until his resignation., except for the brief absence of a co-worker. The claimant presents substantiation of his work-related medical condition only in the form of a letter from a non-physician stating that the claimant ceased consulting her at some undetermined point prior to terminating his job. Under these circumstances, there is not a sufficient basis for a finding of good cause or valid circumstances for leaving the job.

DECISION

The unemployment of the claimant was due to leaving work voluntarily without good cause, within the meaning of Section 6(a) of the Maryland Unemployment Insurance Law. Benefits will be denied from the week beginning December 23, 1990, and until the claimant becomes reemployed, and earns at least ten times his weekly benefit amount (\$2,230) and thereafter becomes unemployed

through no fault of his own.

The determination of the claims Examiner is affirmed.


Henry M. Rutledge
Hearing Examiner

Date of hearing: 8/26/91
ah/Cassette: 8154
Specialist ID: 05385
Copies mailed on 9/4/91 to:

Claimant
Employer
Unemployment Insurance - Frederick MABS