



**DEPARTMENT OF EMPLOYMENT AND TRAINING**

**STATE OF MARYLAND**  
HARRY HUGHES  
Governor

**BOARD OF APPEALS**  
1100 NORTH EUTAW STREET  
BALTIMORE, MARYLAND 21201

(301) 383-5032

**BOARD OF APPEALS**

THOMAS W. KEECH  
Chairman

HAZEL A. WARNICK  
MAURICE E. DILL  
Associate Members

SEVERN E. LANIER  
Appeals Counsel

MARK R. WOLF  
Chief Hearing Examiner

**— DECISION —**

Decision No.: 198-BR-85

Date: March 20, 1985

Appeal No.: 10043

S. S. No.:

Claimant: Lisa M. Beck

Employer: Laurelwood Nursing

L.O. No.: 13

Appellant: AGENCY

ATTN: Hermeone Vidal, Food  
Service Supervisor

Issue: Whether the claimant's unemployment was due to leaving work voluntarily, without good cause, within the meaning of § 6(a) 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, OR THE CIRCUIT COURT OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT ON April 19, 1985

**— APPEARANCES —**

FOR THE CLAIMANT:

FOR THE EMPLOYER:

REVIEW ON THE RECORD

Upon a review of the record in this case, the Board of Appeals reverses the decision of the Appeals Referee. Section 6(a) of the law specifically states that leaving one's job to accompany or join a spouse in a new locality cannot be either "good cause" or "valid circumstances."

The Appeals Referee in this case found that since the claimant left to accompany a person she was not married to, the claimant had not left to accompany a "spouse," and that "valid circumstances" could thus be found. This conclusion of the Appeals Referee is an interpretation of the legislative intent which defies common sense. Since the legislature does not consider it a "valid circumstance" for a person to leave employment in order to accompany a husband or wife in a new locality, it follows that the legislature would consider that leaving a job to accompany a person who does not have the status of a husband or wife would be even less a valid reason. The legislature clearly did not intend to give more weight to non-familial than familial relationships when it considered what circumstances might be "valid," for the purpose of unemployment compensation payments. Since the preservation of the statutory family relationships cannot be a "valid circumstance," the preservation of a non-familial, non-statutory relationship cannot be "valid circumstances."

In the absence of valid circumstances, therefore, the Board must impose the maximum penalty under § 6(a) for voluntarily quitting one's job.

DECISION

The unemployment of the claimant was due to leaving work voluntarily, without good cause, within the meaning of § 6(a) of the Maryland Unemployment Insurance Law. She is disqualified from receiving benefits for the week beginning May 27, 1984 and until she becomes re-employed, earns at least ten times her weekly benefit amount (\$1070) and thereafter becomes unemployed through no fault of her own.

The decision of the Appeals Referee is reversed.

  
Chairman

  
Associate Member

K:W  
dp

COPIES MAILED TO:

CLAIMANT

EMPLOYER

Robin Brodinsky - Appeals Referee

UNEMPLOYMENT INSURANCE - ELKTON



DEPARTMENT OF EMPLOYMENT AND TRAINING

STATE OF MARYLAND
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BALTIMORE, MARYLAND 21201

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STATE OF MARYLAND

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Chief Hearing Examiner

DECISION

Claimant: Lisa M. Beck
Date: mailed Jan. 17, 1985
Appeal No.: 10043
S-S. No.:
Employer: Laurelwood Nursing
L.O. No.: 13
Appellant: Claimant

Issue: Whether the claimant left work voluntarily, without good cause, within the meaning of Section 6(a) of the Law.

NOTICE OF RIGHT OF FURTHER APPEAL

ANY INTERESTED PARTY TO THIS DECISION MAY REQUEST A FURTHER APPEAL AND SUCH APPEAL MAY BE FILED IN ANY EMPLOYMENT SECURITY OFFICE, 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 Feb. 1, 1985

APPEARANCES

FOR THE CLAIMANT:

Claimant-Present

FOR THE EMPLOYER:

Hermeone Vidal-
Food Service
Supervisor

FINDINGS OF FACT

The claimant filed an original claim for unemployment insurance benefits at Elkton, effective August 12, 1984.

The claimant had been employed by Laurelwood Nursing Home for about two years until June 1, 1984, as a Dietary Aide at a pay rate of \$4.50 per hour.

The claimant voluntarily resigned her position with notice to the employer for the reason that she was relocating to West Virginia, when the person with whom she was living and contributing to her support relocated to that area. The claimant found that she financially could not remain where she was without such financial support.

The person with whom the claimant is living is not a spouse.

#### CONCLUSIONS OF LAW

It is concluded that the cause of the claimant's unemployment was due to leaving work voluntarily, for a cause not directly attributable to, arising from, or connected with the conditions of the employment or actions of the employer. Accordingly, her voluntary separation was without "good cause" within the meaning of the Law. As there is no evidence that the claimant's friend was her spouse, in which case a maximum disqualification would have to be imposed by Law, and in view of the evidence that the claimant otherwise had compelling or necessitous reasons to leave her job with no reasonable alternative but to do so, a disqualification shall be imposed in accordance with these "valid circumstances," as set forth by Law.

#### DECISION

It is held that the claimant's unemployment was due to leaving work voluntarily, without good cause, within the meaning of Section 6(a) of the Maryland Unemployment Insurance Law. Benefits are denied for the week beginning May 27, 1984 and the nine weeks immediately following.

The determination of the Claims Examiner is affirmed and modified accordingly.

This denial of unemployment insurance benefits for a specified number of weeks will also result in ineligibility for Extended Benefits and Federal Supplemental Compensation (FSC), unless the claimant has been employed after the date of the disqualification.



Robin L. Brodinsky  
APPEALS REFEREE

Date of hearing: December 20, 1984  
Cassette: 9216  
hf (L. Roper)

3 Appeal No. 10043

COPIES MAILED ON Jan. 17, 1985 TO:

Claimant  
Employer  
Unemployment Insurance-Elkton