

DEPARTMENT OF EMPLOYMENT AND TRAINING

STATE OF MARYLAND

BOARD OF APPEALS
1100 NORTH EUTAW STREET
BALTIMORE, MARYLAND 21201

(301) 383-5032

BOARD OF APPEALS

THOMAS W. KEECH
Chairman
HAZEL A. WARNICK
Associate Member
SEVERN E. LANIER
Appeals Counsel
MARK R. WOLF
Chief Hearing Examiner

CORRECTED

Date left off of previous
decision.

— DECISION —

Decision No.: 203-BR-87
Date: March 20, 1987
Appeal No.: 8613469
S. S. No.:

Claimant: Cynthia Wingate

Employer: American Trading & Production Corp. 40

Appellant: EMPLOYER

Issue: Whether the claimant's unemployment was due to leaving work voluntarily, without good cause, within the meaning of Section 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, 1987

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

REVIEW ON THE RECORD

Upon review of the record in this case, the Board of Appeals reverses the decision of the Hearing Examiner and concludes that the claimant voluntarily quit her job, without good cause within the meaning of Section 6(a) of the law.

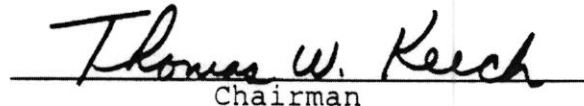
The claimant quit primarily because she was dissatisfied with some of her work duties and felt that half of her time should not be spent on clerical duties, when she was hired to be a full-time secretary. The Board concludes that these duties, which all the secretaries were required to do, were not so onerous or so removed from secretarial work as to give the claimant good cause for resigning. However, since the claimant misunderstood the nature of the position, which she took in good faith, resulting in her spending half of her time doing non-secretarial work, the Board concludes that there are valid circumstances within the meaning of Section 6(a) of the law.

DECISION

The claimant left work voluntarily, without good cause, within the meaning of Section 6(a) of the Maryland Unemployment Insurance Law. She is disqualified from receiving benefits from the week beginning October 12, 1986 and the nine weeks immediately following.

The decision of the Hearing Examiner is reversed.


Associate Member


Chairman

W:K

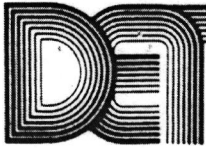
kmb

COPIES MAILED TO:

CLAIMANT

EMPLOYER

UNEMPLOYMENT INSURANCE - EASTPOINT



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Chief Hearing Examiner

— DECISION —

Decision No.: 203-BR-87

Date: March , 1987

Claimant: Cynthia Wingate

Appeal No.: 8613469

S. S. No.: 219-52-6589

Employer: American Trading & Production Corp.

40

EMPLOYER

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

— NOTICE OF RIGHT OF APPEAL TO COURT —

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

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

REVIEW ON THE RECORD

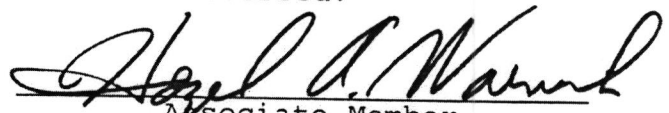
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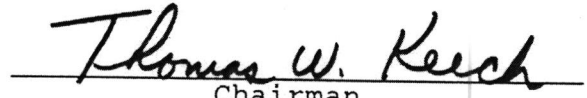
The claimant quit primarily because she was dissatisfied with some of her work duties and felt that half of her time should not be spent on clerical duties, when she was hired to be a full-time secretary. The Board concludes that these duties, which all the secretaries were required to do, were not so onerous or so removed from secretarial work as to give the claimant good cause for resigning. However, since the claimant misunderstood the nature of the position, which she took in good faith, resulting in her spending half of her time doing non-secretarial work, the Board concludes that there are valid circumstances within the meaning of Section 6(a) of the law.

DECISION

The claimant left work voluntarily, without good cause, within the meaning of Section 6(a) of the Maryland Unemployment Insurance Law. She is disqualified from receiving benefits from the week beginning October 12, 1986 and the nine weeks immediately following.

The decision of the Hearing Examiner is reversed.


Associate Member


Chairman

W:K

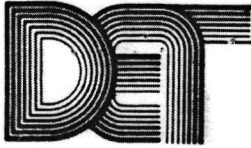
kmb

COPIES MAILED TO:

CLAIMANT

EMPLOYER

UNEMPLOYMENT INSURANCE - EASTPOINT



DEPARTMENT OF EMPLOYMENT AND TRAINING

STATE OF MARYLAND
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BALTIMORE, MARYLAND 21201

(301) 383-5040

STATE OF MARYLAND
HARRY HUGHES
Governor

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 -

Date: Mailed January 13, 1987

Claimant: Cynthia Wingate

Appeal No.: 8613469

S. S. No.:

Employer: American Trading

L.O. No.: 40

Appellant: Claimant

Issue: Whether the Claimant voluntarily quit his employment, 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 January 28, 1987

- APPEARANCES -

FOR THE CLAIMANT:

Present

FOR THE EMPLOYER:

Veronica Townsend
Personnel Mgr.

FINDINGS OF FACT

The Claimant filed a claim for benefits effective October 12, 1986. Her weekly benefit amount was determined to be \$195.00.

The Claimant worked for American Trading from April 1, 1985 until October 14, 1986. She was a secretary, and started at

\$15,000.00 and was raised to \$16,500.00 during the period of employment. The Claimant quit employment.

The reason the Claimant quit is that she is a 38 year old lady and a professional secretary. When hired she was under the impression that she would work as a full time secretary in the employer's insurance functions. In actuality the Claimant only functioned half time as a secretary and during the rest of the working days was in effect a floating data process clerk. This upset the Claimant. The Claimant attempted to resolve this problem with several officials, however, no change could be made and the Claimant resigned.

CONCLUSIONS OF LAW

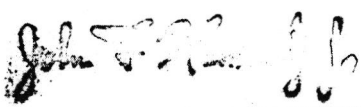
The Board of Appeals has held in the case of Arness v. Martin Gillette Company, Inc. 1090BR-83 that the Claimant's leaving of an unsuitable job after one day of employment which he had undertaken through an innocent misunderstanding of the job duties constitutes a voluntary quit with good cause.

In this case the Claimant attempted to resolve the situation however, she was not granted the work which she was originally promised, therefore her leaving must be considered to be for good cause. The determination of the Claims Examiner will be reversed.

DECISION

The Claimant left her employment voluntarily but for good cause within the meaning of Section 6 (a) of the Maryland Unemployment Insurance Law. No disqualification is imposed based on her separation from her employment with American Trading. The Claimant may contact the local office about the other eligibility requirements of the Law.

The determination of the Claims Examiner is reversed.



John F. Kennedy, Jr.
Claims Examiner

Date of Hearing: December 23, 1986
Cassette: 8126 (Stockman)
Copies mailed on January 13, 1987 to:
Claimant
Employer
Unemployment Insurance - Eastpoint