



DEPARTMENT OF EMPLOYMENT AND TRAINING

STATE OF MARYLAND  
1100 NORTH EUTAW STREET  
BALTIMORE, MARYLAND 21201

383-3032

—DECISION—

STATE OF MARYLAND  
HARRY HUGHES  
Governor

BOARD OF APPEALS  
THOMAS W. KEECH  
Chairman

HAZEL A. WARNICK  
MAURICE E DILL  
Associate Members

CLAIMANT: Robert Green

DECISION NO.: 320 BR 84 SEVERNE E LANIER  
Appeals Counsel

DATE: March 23, 1984

APPEAL NO.: 15262

S.S.NO.:

EMPLOYER: Harford Memorial Hospital

LO. NO.: 22

ATTN: P. Howard Marshall,  
Personnel Director

APPELLANT: EMPLOYER

ISSUE: Whether the Claimant was discharged for misconduct, connected with the work, within the meaning of § 6(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, OR THE CIRCUIT COURT OF THE COUNTY IN MARYLAND IN WHICH YOU RESIDE.

THE PERIOD FOR FILING AN APPEAL EXPIRES AT MIDNIGHT

April 22, 1984

— APPEARANCE —

FOR THE CLAIMANT:

FOR THE EMPLOYER;

REVIEW ON THE RECORD

Upon a review of the record in this case, the Board of Appeals modifies the decision of the Appeals Referee.

The evidence in this case shows that the Claimant was repeatedly warned about arguing with co-workers. In addition, he was warned about other infractions on the job. Despite the warnings, the Claimant continued to argue with his co-workers.

In the absence of evidence concerning what these arguments were about, who was at fault in initiating them, whether obscene or profane language was used and whether they interfered with the work process, no findings can be made as to whether they amount to "a series of repeated violations of standards an employer has a right to expect., showing a gross disregard for the employer's interest." Thus, there is not sufficient evidence that the standard of "gross misconduct" in § 6(b) of the law has been met.

The record does show a continuing pattern of arguments after warnings, and other violations of work rules, and the Board concludes that an increased penalty under § 6(c) of the Law, for ordinary misconduct., is appropriate.

DECISION

The Claimant was discharged for misconduct, connected with the work, within the meaning of § 6(c) of the Maryland Unemployment Insurance Law. He is disqualified from receiving benefits from the week beginning November 29, 1983, and the nine weeks immediately following.

The decision of the Appeals Referee is modified to this extent.

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

  
Chairman

  
Associate Member

COPIES MAILED TO:

CLAIMANT

EMPLOYER

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