

 **Maryland**
Department of Economic &
Employment Development

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.: 394-BR-92

Date: Feb. 28, 1992

Claimant: Maurice Oakley

Appeal No: 9114920

S. S. No.:

Employer: Progress Unlimited, Inc.

L. O. No.: 45

Appellant: CLAIMANT

Issue: Whether the claimant was discharged for gross misconduct or misconduct, connected with the work, within the meaning of Section 8-1002 or 8-1003 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.

March 29, 1992

THE PERIOD FOR FILING AN APPEAL EXPIRES

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

REVIEW ON THE RECORD

Upon review of the record in this case, the Board of Appeals adopts the findings of fact and conclusions of law of the Hearing Examiner.

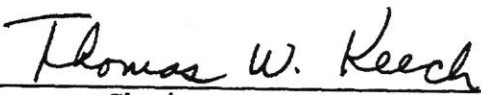
The Board finds as an additional fact that the claimant did not call the beeper numbers as required. The Board makes the additional conclusion of law that the claimant's failure to make a reasonable effort to notify the employer that he would not be in on July 5 constituted misconduct.

The Board also notes that, for unemployment insurance law purposes, it is not relevant whether the claimant was owed more warnings prior to discharge.

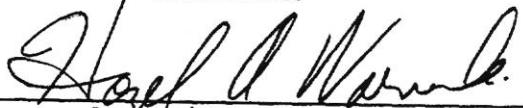
DECISION

The claimant was discharged for misconduct, connected with his work, within the meaning of Section 8-1003 of the Labor and Employment Article. He is disqualified from receiving benefits from the week beginning June 30, 1991 and the four weeks immediately following.

The decision of the Hearing Examiner is affirmed.



Chairman



Associate Member

K:HW

kbm

COPIES MAILED TO:

CLAIMANT

EMPLOYER

UNEMPLOYMENT INSURANCE - NORTHWEST



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*

Telephone: 333-5040

REMAND
— DECISION —

Date: Mailed: 01/07/92
Appeal No.: 9114920
S. S. No.:
Employer: Progress Unlimited, Inc. L.O. No.: 045
ATTN: Mary Gatto, V. P. Personnel Appellant: CLAIMANT
11438 B Cronridge Drive
Wings Mills, MD 21117

Issue: Whether the claimant was discharged for misconduct connected with the work, within the meaning of the Code of MD, Labor and Employment Article, Title 8, Section 1003.

— NOTICE OF RIGHT TO PETITION FOR REVIEW —

ANY INTERESTED PARTY TO THIS DECISION MAY REQUEST A REVIEW AND SUCH PETITION FOR REVIEW MAY BE 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 January 16, 1992

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

Maurice Oakley - Present

Mary Gatto, Vice
President of
Personnel

FINDINGS OF FACT

The claimant was employed as a residential counselor in a residential program for developmentally disabled adults from