

 **Maryland**
Department of Economic &
Employment Development

William Donald Schaefer, Governor
J. Randall Evans, Secretary

Board of Appeals
1100 North Eutaw Street
Baltimore, Maryland 21201
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Board of Appeals
Thomas W. Keech, Chairman
Hazel A. Warnick, Associate Member
Donna P. Watts, Associate Member

— DECISION —

Decision No.:	4-BR-90
Date:	January 5, 1990
Claimant: Jan A. Murphy	Appeal No.: 8911100
	S. S. No.:
Employer: Loiederman Associates, Inc.	L.O. No.: 8
	Appellant: EMPLOYER
Issue:	Whether the claimant was discharged for gross misconduct or misconduct, connected with his work, within the meaning of Section 6(b) or 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 MAYBE 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 AT MIDNIGHT ON February 4, 1990

— APPEARANCES —

FOR THE CLAIMANT:

FOR THE EMPLOYER:

REVIEW ON THE RECORD

Upon review of the record of this case, the Board of Appeals reverses the decision of the Hearing Examiner.

The Board makes the following findings of fact. The claimant was terminated for several reasons, which include:

1. The claimant failed to prepare a course of instruction for other drafters. This was a primary duty for which the claimant was hired.
2. The claimant continued to receive and make excessive personal calls, even after having received warnings. Many of the claimant's calls were long distance calls for which the claimant did not reimburse the employer.
3. The claimant failed to perform her work in a satisfactory manner. The claimant became unproductive, her work was incomplete and filled with errors. The claimant wandered around the office disturbing others instead of contacting the person who would assign her work.
4. The claimant was excessively tardy and absent. During the twenty-four weeks the claimant worked for this employer, she only worked six of the 40-hour weeks required.

The conduct of the claimant amounted to (1) a deliberate and willful disregard of standards of behavior, which her employer had a right to expect, showing a gross indifference to the employer's interest, and (2) a series of repeated violations of employment rules proving that the employer has regularly and wantonly disregarded her obligations. This conduct warrants a finding of gross misconduct as defined in Section 6(b) of the Maryland Unemployment Insurance Law.

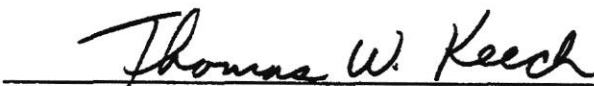
The fact that the claimant had many personal problems does not relieve her of her obligations to her employer.

DECISION

The claimant was terminated from her employment for gross misconduct in connection with her work, within the meaning of Section 6(b) of the Maryland Unemployment Insurance Law. The claimant is disqualified from receiving unemployment insurance benefits from the week beginning August 6, 1988 and until she becomes re-employed, earns at least ten times her weekly benefit amount, and thereafter becomes unemployed through no fault of her own.

The decision of the Hearing Examiner is reversed.


Associate Member


Chairman

DW:K

kbm

COPIES MAILED TO:

CLAIMANT

EMPLOYER

Loiederman Associates, Inc.
ATTN: Pearl A. Oscar
15200 Shady Grove Road, #202
Rockville, MD 20850

UNEMPLOYMENT INSURANCE - ANNAPOLIS