

DEPARTMENT OF EMPLOYMENT AND TRAINING

BOARD OF APPEALS  
1100 NORTH EUTAW STREET  
BALTIMORE, MARYLAND 21201

THOMAS W. KEECH  
Chairman

HAZEL A. WARNICK  
MAURICE E. DILL  
Associate Members

SEVERN E. LANIER  
Appeals Counsel

STATE OF MARYLAND  
HARRY HUGHES  
Governor

383-5032

—DECISION—

CLAIMANT: Florence L. Harris

DECISION NO.: 2245-BR-83  
DATE: December 20, 1983  
APPEAL NO.: 07918  
S.S. NO.:

EMPLOYER: Del Mar Manufacturing, Inc. LO. NO.: 27  
APPELLANT: EMPLOYER

ISSUE: Whether the Claimant's unemployment was due to leaving work voluntarily, without good cause, within the meaning of § 6(a) of the Law.

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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 January 19, 1984

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—APPEARANCE—

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 and concludes that the Claimant's reason for quitting, mainly because she received several reprimands regarding her production figures, does not constitute good cause, within the meaning of § 6(a) of the Law. There is no evidence that the employer's actions were unreasonable or that the Claimant's job was threatened.

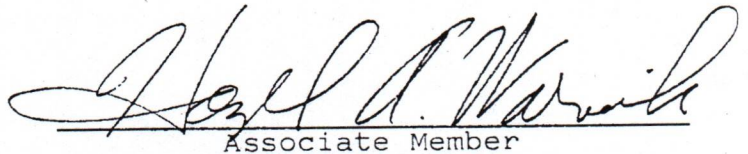
However, since the Claimant reasonably believed that her low production (and therefore the reprimands) were caused by the employer's constant shifting of her from one machine to another, the Board finds that there are valid circumstances and the maximum penalty is not warranted.

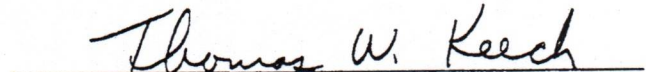
DECISION

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 from the week beginning June 5, 1983, and the nine weeks immediately following.

The' decision of the Appeals Referee is reversed.

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.

  
Associate Member

  
Chairman

W:K  
dp

COPIES MAILED TO:

CLAIMANT

EMPLOYER

UNEMPLOYMENT INSURANCE - SNOW HILL



STATE OF MARYLAND

HARRY HUGHES  
Governor

KALMAN R. HETTLEMAN  
Secretary

DEPARTMENT OF HUMAN RESOURCES  
EMPLOYMENT SECURITY ADMINISTRATION  
1100 NORTH EUTAW STREET  
BALTIMORE, MARYLAND 21201  
383 - 5040

BOARD OF APPEALS

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Appeals Counsel

MARK R. WOLF  
Administrative  
Hearings Examiner

—DECISION—

CLAIMANT: Florence L. Harris

EMPLOYER: Del Mar Manufacturing Company

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.

DATE: August 31, 1983

APPEAL NO.: 07918

S. S. NO.:

L. O. NO.: 27

APPELLANT: Claimant

NOTICE OF RIGHT OF FURTHER APPEAL

ANY INTERESTED PARTY TO THIS DECISION MAY REQUEST A FURTHER APPEAL AND SUCH APPEAL MAYBE 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 FURTHER APPEAL EXPIRES AT MIDNIGHT ON September 15, 1983

-APPEARANCES -

FOR THE CLAIMANT:

Present

FOR THE EMPLOYER:

Represented by Samuel  
Moncure, President

FINDINGS OF FACT

The claimant filed a claim for benefits, effective June 12, 1983. Her weekly benefit amount was determined to be \$84.00.

The claimant was employed by Del Mar Manufacturing Company from approximately December 2, 1982 until June 9, 1983. She was a sewing machine operator, earning \$3.35 an hour.

The claimant was originally assigned to a bar tack machine, however, she was changed several times, and she never was able to meet the employer's production standards. On June 1, 1983 she was changed three times. Her production was marked at 39% according to a reprimand. On June 2, 1983, she was changed three times, her production was 44%, and on June 3, 1983, she was changed at least twice, and her production was 31%. Her reprimand was that her production must be at 45% by June 15, 1983.

The claimant became upset with this and left without reviewing the matter with the employer in detail.

The employer, in their operation, constantly changes the sewers from various machines to other work. The employer's standards are very high, as they do have piece work available if an employee would meet their standards.

CONCLUSIONS OF LAW

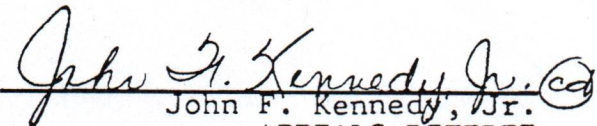
It is found that the employer's shifting of employees from various positions certainly contributed to the claimant's lack of efficiency, particularly so, as she was changed so often on the last three days mentioned in her reprimand. Under such circumstances, it must be concluded that the claimant voluntarily left employment for reasons attributable to the employer and the employment. Therefore, the determination of the Claims Examiner must 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 imposed, based on her separation from employment with Del Mar Manufacturing Company.

The claimant may contact the local office concerning other eligibility requirements of the Law.

The determination of the Claims Examiner is reversed.

  
 John F. Kennedy, Jr.  
 APPEALS REFEREE

Date of Hearing - 8/24/83  
 cd/7448  
 (5403 /D'Aquila)

COPIES MAILED TO:

- Claimant
- Employer
- Unemployment Insurance - Snow Hill