
By: **Delegates Sher, Barve, Hurson, Moe, Hubbard, Goldwater, Howard,
Mandel, and Grosfeld**

Introduced and read first time: January 25, 2002

Assigned to: Economic Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Unemployment Insurance - Voluntary Quit for New and Better Employment**

3 FOR the purpose of providing the circumstances under which voluntarily quitting
4 employment for new and better employment may constitute good cause;
5 requiring the Department of Labor, Licensing, and Regulation to adopt certain
6 regulations by a certain date; providing for the application of this Act; and
7 generally relating to unemployment insurance law.

8 BY repealing and reenacting, with amendments,
9 Article - Labor and Employment
10 Section 8-1001
11 Annotated Code of Maryland
12 (1999 Replacement Volume and 2001 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article - Labor and Employment**

16 8-1001.

17 (a) (1) An individual who otherwise is eligible to receive benefits is
18 disqualified from receiving benefits if the Secretary finds that unemployment results
19 from voluntarily leaving work without good cause.

20 (2) A claimant who is otherwise eligible for benefits from the loss of
21 full-time employment may not be disqualified from the benefits attributable to the
22 full-time employment because the claimant voluntarily quit a part-time
23 employment, if the claimant quit the part-time employment before the loss of the
24 full-time employment.

25 (b) The Secretary may find that a cause for voluntarily leaving is good cause
26 only if:

27 (1) the cause is directly attributable to, arising from, or connected with:

1 (i) the conditions of employment; or

2 (ii) the actions of the employing unit; [or]

3 (2) THE CAUSE IS DIRECTLY ATTRIBUTABLE TO, ARISING FROM, OR
4 CONNECTED WITH THE CONDITIONS OF WHAT IS DETERMINED TO BE NEW AND
5 BETTER EMPLOYMENT; OR

6 [(2)] (3) an individual:

7 (i) is laid off from employment through no fault of the individual;

8 (ii) obtains subsequent employment that pays weekly wages that
9 total less than 50% of the weekly wage earned in the employment from which the
10 individual was laid off; and

11 (iii) leaves the subsequent employment to attend a training
12 program for which the individual has been chosen that:

13 1. is offered under the Maryland Job Training Partnership
14 Act; or

15 2. otherwise is approved by the Secretary.

16 (c) (1) A circumstance for voluntarily leaving work is valid only if it is:

17 (i) a substantial cause that is directly attributable to, arising from,
18 or connected with conditions of employment or actions of the employing unit; or

19 (ii) of such necessitous or compelling nature that the individual has
20 no reasonable alternative other than leaving the employment.

21 (2) For determination of the application of paragraph (1)(ii) of this
22 subsection to an individual who leaves employment because of the health of the
23 individual or another for whom the individual must care, the individual shall submit
24 a written statement or other documentary evidence of the health problem from a
25 hospital or physician.

26 (d) In addition to other circumstances for which a disqualification may be
27 imposed, neither good cause nor a valid circumstance exist and a disqualification
28 shall be imposed if an individual leaves employment:

29 (1) to become self-employed;

30 (2) to accompany a spouse to a new location or to join a spouse in a new
31 location; or

32 (3) to attend an educational institution.

33 (e) A disqualification under this section:

1 (1) shall begin with the first week for which unemployment is caused by
2 voluntarily leaving without good cause; and

3 (2) subject to subsection (c) of this section, shall continue:

4 (i) if a valid circumstance exists, for a total of at least 5 but not
5 more than 10 weeks, as determined by the Secretary based on the seriousness of the
6 circumstance; or

7 (ii) if a valid circumstance does not exist, until the individual is
8 reemployed and has earned wages for covered employment that equal at least 15
9 times the weekly benefit amount of the individual.

10 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before September
11 30, 2002, the Department of Labor, Licensing, and Regulation shall adopt regulations
12 enumerating the circumstances under which voluntarily quitting employment for new
13 and better employment may constitute good cause under § 8-1001(b) of the Labor and
14 Employment Article as enacted by this Act.

15 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall apply to all
16 determinations of eligibility and appeals pending on or after September 30, 2002.

17 SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 July 1, 2002.