

# HOUSE BILL 281

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By: **Delegates Hough, Afzali, Boteler, Eckardt, George, Norman, and Ready**  
Introduced and read first time: January 23, 2013  
Assigned to: Economic Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Determination of Unemployment Insurance Benefits – Voluntarily Leaving**  
3 **Work – Valid Circumstances**

4 FOR the purpose of prohibiting the Secretary of Labor and Employment, except under  
5 certain circumstances, from finding that a valid circumstance for voluntarily  
6 leaving work exists under a certain provision of law if an individual leaves work  
7 solely due to a reduction in wages; and generally relating to the determination  
8 of unemployment insurance benefits for individuals who voluntarily leave work.

9 BY repealing and reenacting, with amendments,  
10 Article – Labor and Employment  
11 Section 8–1001  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2012 Supplement)

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

16 **Article – Labor and Employment**

17 8–1001.

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

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

5                           (i)     the conditions of employment; or

6                           (ii)    the actions of the employing unit;

7                   (2)     an individual:

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

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

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

15                                   1.     is offered under the Maryland Workforce Investment  
16 Act; or

17                                   2.     otherwise is approved by the Secretary; or

18                   (3)     the cause is directly attributable to the individual or the  
19 individual's spouse, minor child, or parent being a victim of domestic violence as  
20 defined in § 4–513 of the Family Law Article and the individual:

21                           (i)     reasonably believes that the individual's continued  
22 employment would jeopardize the individual's safety or the safety of the individual's  
23 spouse, minor child, or parent; and

24                           (ii)    provides one of the following types of documentation to the  
25 Secretary substantiating domestic violence:

26                                   1.     an active or a recently issued temporary protective  
27 order under § 4–505 of the Family Law Article, a protective order under § 4–506 of the  
28 Family Law Article, or any other court order documenting the domestic violence; or

29                                   2.     a police record documenting recent domestic violence.

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

1 (i) **SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION**, a  
2 substantial cause that is directly attributable to, arising from, or connected with  
3 conditions of employment or actions of the employing unit;

4 (ii) of such necessitous or compelling nature that the individual  
5 has no reasonable alternative other than leaving the employment; or

6 (iii) caused by the individual leaving employment to follow a  
7 spouse if:

8 1. the spouse:

9 A. serves in the United States military; or

10 B. is a civilian employee of the military or of a federal  
11 agency involved in military operations; and

12 2. the spouse's employer requires a mandatory transfer  
13 to a new location.

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

19 **(3) IF AN INDIVIDUAL LEAVES WORK SOLELY DUE TO A**  
20 **REDUCTION IN WAGES, THE SECRETARY MAY NOT FIND THAT A VALID**  
21 **CIRCUMSTANCE EXISTS UNDER PARAGRAPH (1)(I) OF THIS SUBSECTION UNLESS**  
22 **THE REDUCTION IN WAGES RESULTED IN THE INDIVIDUAL RECEIVING A WAGE**  
23 **THAT WAS 90% OR LESS OF THE WAGE THAT WAS RECEIVED BEFORE THE**  
24 **REDUCTION.**

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

28 (1) to become self-employed;

29 (2) to accompany a spouse to a new location or to join a spouse in a  
30 new location, unless the requirements of subsection (c)(1)(iii) of this section are met; or

31 (3) to attend an educational institution.

32 (e) A disqualification under this section:

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1                   (1)     shall begin with the first week for which unemployment is caused  
2 by 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 times  
9 the weekly benefit amount of the individual.

10                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 October 1, 2013.