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By: **Senators Ruben, Della, and Stone**  
Introduced and read first time: January 22, 2002  
Assigned to: Finance

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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 (As enacted by Chapter 315 of the Acts of the General Assembly of 2001)

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  
24 employment, if the claimant quit the part-time employment before the loss of the  
25 full-time employment.

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

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

2 (i) the conditions of employment; or

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

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

7 [(2)] (3) an individual:

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

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

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

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

16 2. otherwise is approved by the Secretary.

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

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

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

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

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

30 (1) to become self-employed;

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

33 (3) to attend an educational institution.

1 (e) A disqualification under this section:

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

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

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

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

11 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before  
12 September 30, 2002, the Department of Labor, Licensing, and Regulation shall adopt  
13 regulations enumerating the circumstances under which voluntarily quitting  
14 employment for new and better employment may constitute good cause under §  
15 8-1001(b) of the Labor and Employment Article.

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

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