

- (1) A DISQUALIFICATION THAT IS BASED ON A STOPPAGE OF WORK BECAUSE OF A LABOR DISPUTE;
- (2) MULTIPLE CLAIMS; OR
- (3) A DIFFICULT ISSUE OF FACT OR LAW.

(B) HEARING AND DECISION.

THE BOARD OF APPEALS:

(1) PROMPTLY SHALL HEAR AND DECIDE A CLAIM THAT THE SECRETARY REFERS UNDER THIS SECTION; AND

(2) MAY DESIGNATE A SPECIAL EXAMINER TO HEAR AND DECIDE THE CLAIM.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 95A, § 7(c)(2).

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that former Art. 95A, § 7(c)(2) seems to limit the jurisdiction of a special examiner. However, in practice, the special examiner also takes the place of the Board of Appeals in all cases heard outside the Baltimore Office of the Board of Appeals. In those cases, the special examiner makes a report to the Board of Appeals, which then makes a determination based on the report.

Defined terms: "Board of Appeals" § 8-101  
"Secretary" § 8-101

8-509. REVIEW BY HEARING EXAMINER OF DETERMINATION OF CLAIMS.

(A) IN GENERAL; TIME FOR FILING.

AN INDIVIDUAL WHO FILES A CLAIM FOR BENEFITS OR AN EMPLOYER ENTITLED TO NOTICE OF A DETERMINATION OR REDETERMINATION OF THE CLAIM MAY FILE AN APPEAL WITH THE BOARD OF APPEALS WITHIN 15 DAYS AFTER NOTICE OF THE DETERMINATION OR REDETERMINATION IS MAILED TO THE CLAIMANT OR EMPLOYER AT THE LAST KNOWN ADDRESS OF THE CLAIMANT OR EMPLOYER OR OTHERWISE IS DELIVERED.

(B) DUTIES OF HEARING EXAMINER.

(1) UNLESS AN APPEAL FILED UNDER SUBSECTION (A) OF THIS SECTION IS WITHDRAWN OR REMOVED TO THE BOARD OF APPEALS, A HEARING EXAMINER DESIGNATED BY THE BOARD OF APPEALS SHALL:

(I) GIVE THE PARTIES A REASONABLE OPPORTUNITY FOR A FAIR HEARING;