

## (2) SHALL CONTINUE:

(I) FOR A TOTAL OF AT LEAST 5 BUT NOT MORE THAN 10 WEEKS; OR

(II) UNTIL THE INDIVIDUAL IS REEMPLOYED AND HAS EARNED WAGES FOR COVERED EMPLOYMENT THAT EQUAL AT LEAST 10 TIMES THE WEEKLY BENEFIT AMOUNT OF THE INDIVIDUAL.

## (D) APPLICATION TO WORK SHARING.

(1) IN THIS SUBSECTION, THE TERMS "AFFECTED EMPLOYEE" AND "WORK SHARING EMPLOYER" HAVE THE MEANINGS STATED IN § 8-1201 OF THIS TITLE.

(2) AN AFFECTED EMPLOYEE WHO REFUSES TO APPLY FOR OR ACCEPT SUITABLE WORK FROM A PERSON OTHER THAN THE WORK SHARING EMPLOYER MAY NOT BE DENIED BENEFITS UNDER THIS SECTION.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 95A, § 6(d) and the second sentence of § 11(a)(1).

As to the addition of the clause "who otherwise is eligible to receive benefits", in subsection (a) of this section, see the revisor's note to § 8-1001 of this subtitle.

In subsection (c)(2)(ii) of this section, the defined term "wages" is substituted for the former word "earnings", to conform to terminology used throughout this title.

As to the reference, in subsection (c)(2) of this section, to "a total of at least 5 but not more than 10 weeks" to describe the period that the disqualification continues, see the revisor's note to § 8-1001 of this subtitle.

The Labor and Employment Article Review Committee notes, for consideration by the General Assembly, that subsection (c)(2) of this section establishes two alternative occurrences for termination of the disqualification: (1) after the expiration of the 5 to 10 week penalty period; or (2) until the individual has earned 10 times the weekly benefit amount. In other provisions of this subtitle, termination is based on only one of those occurrences. Moreover, where there is discretion in determining termination under other provisions, some guidance is given in use of the discretion e.g., based on the seriousness of misconduct or circumstances. See §§ 8-1001 and 8-1003 of this subtitle.

Defined terms: "Benefits" § 8-101

"Covered employment" § 8-101

"Secretary" § 8-101