Circuit Court for Baltimore City
Case No. C-24-CV-24-000121

UNREPORTED

IN THE APPELLATE COURT

OF MARYLAND

No. 2333

September Term, 2024

IN THE MATTER OF VERONICA WILLIAMS

Reed,
Shaw,
Harrell, Glenn T., Jr.
(Senior Judge, Specially Assigned),

JJ.

PER CURIAM

Filed: November 21, 2025

*This is a per curiam opinion. Under Rule 1-104, the opinion is not precedent within the rule of stare decisis nor may it be cited as persuasive authority.

Veronica Williams, appellant, appeals from an order issued by the Circuit Court for Baltimore City, affirming a decision issued by the Board of Appeals (the Board) to disqualify her from receiving unemployment benefits. Appellant raises two issues on appeal: (1) whether she "should have been issued a default [] since [her] employer fail[ed] to appear;" and (2) whether the circuit court "was presiding over the wrong type of case" when it reviewed the Board's decision. For the reasons that follow, we shall affirm.

Appellant was employed as a full-time CDL truck driver with J&J Trash Removal (the employer) from April 9, 2023, through January 9, 2024. After she separated from her employment, appellant applied for unemployment insurance benefits. However, a claims examiner from the Department of Labor's Division of Unemployment Insurance determined that she was disqualified from receiving benefits because she had quit her job without good cause or a valid circumstance as defined by Section 8-1001 of the Labor and Employment Article.

Appellant appealed that decision to the Lower Appeals Division, which conducted a *de novo* hearing. The employer did not appear at that hearing, and appellant provided the only testimony. Appellant testified that she had a medical condition which worsened when she was overly exposed to the sun. Therefore, her supervisor had told her that she could drive a certain type of vehicle which reduced her sun exposure. Appellant acknowledged that she had not provided any medical documentation to her employer, and that there was no formal written agreement in place which guaranteed her ability to drive a specific vehicle. On January 9, 2024, appellant arrived to work and was assigned to a different vehicle, which she believed would expose her to too much sunlight. When she asked to

drive a different vehicle, her supervisor stated that she had to drive the vehicle that was assigned. Therefore, she left work, and did not return.

Following that hearing, the hearing examiner issued a written order affirming the decision of the claims examiner that she was disqualified from obtaining unemployment benefits. Specifically, the examiner determined that she had voluntarily quit her job and had not been fired by the employer. The examiner further found that appellant had not proven by a preponderance of the evidence that her reasons for quitting constituted either good cause or a valid circumstance because: (1) she did not have any medical documentation requiring her to drive a specific vehicle; (2) the employer had never guaranteed that she could drive a specific vehicle; and (3) she had not attempted to work out an accommodation with the owner of the company before quitting her job. Appellant appealed that decision to the Board, which denied the appeal, resulting in the decision of the hearing examiner becoming the decision of the Board. *See* Lab. & Empl. Art. § 8-806(h)(4)(i). Appellant then filed a petition for judicial review, and the circuit court affirmed the Board's decision. This appeal followed.

Our task in reviewing an administrative decision "is precisely the same as that of the circuit court[:] . . . we must review the administrative decision itself." *Wisniewski v. Dep't of Lab., Licensing and Regul.*, 117 Md. App. 506, 515 (1997) (quotation marks and citations omitted). If the Board's decision was supported by substantial evidence, and if it committed no error of law, we must affirm. *Paek v. Prince George's Cnty. Bd. of License Comm'rs*, 381 Md. 583, 590 (2004).

Appellant first claims that the hearing examiner should have issued a default judgment in her favor when the employer failed to appear at the hearing. As an initial matter, we note that appellant never requested the hearing examiner to enter a default judgment. But in any event, the statutes and regulations which govern hearings in the Lower Division do not provide for the entry of a default judgment if the non-appealing party fails to appear.[1] Moreover, nothing in the record suggests that, in reaching its decision, the hearing examiner relied on any testimony or evidence that was presented by the employer to the claims examiner. Consequently, we discern no error in the Board's affirmance of the hearing examiner's decision.

Appellant also contends that, in reviewing the Board's decision, the "judge was presiding over the wrong type of case." This appears to be based on the fact that after the hearing in the circuit court, the hearing sheet that was entered on the docket stated that the "decision of the *Workers Compensation Commission* is hereby 'AFFIRMED'" (emphasis added). However, the fact that the hearing sheet stated the wrong agency appears to be a typographical error. More importantly, there is no indication that the court believed it was reviewing a Worker's Compensation Commission decision. In fact, the court clearly indicated in its oral findings at the hearing, and in its final written order, that it was reviewing a final decision from the Board of Appeals.

Finally, we note that appellant does not challenge the merits of the Board's decision

[1] In fact, the only regulation addressing the failure of a party to appear is COMAR 09.32.11.02O, which provides that an appeal can be dismissed when the appealing party fails to appear. The employer, however, was not the appealing party.

by either claiming that its findings were not supported by the record or that it made an error of law. And ultimately, she carries the burden on appeal to demonstrate that the Board committed prejudicial error. *See Diallo v. State*, 413 Md. 678, 692-93 (2010) (noting that arguments that are "not presented with particularity will not be considered on appeal" (quotation marks and citation omitted)). Because she has not met that burden, we shall affirm.

JUDGMENT OF THE CIRCUIT COURT FOR BALTIMORE CITY AFFIRMED. COSTS TO BE PAID BY APPELLANT.