

(1) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, TO BE ELIGIBLE FOR BENEFITS AN INDIVIDUAL SHALL BE:

- (I) ABLE TO WORK;
- (II) AVAILABLE FOR WORK; AND
- (III) ACTIVELY SEEKING WORK.

(2) IN DETERMINING WHETHER AN INDIVIDUAL ACTIVELY IS SEEKING WORK, THE SECRETARY SHALL CONSIDER:

(I) WHETHER THE INDIVIDUAL HAS MADE AN EFFORT THAT IS REASONABLE AND THAT WOULD BE EXPECTED OF AN UNEMPLOYED INDIVIDUAL WHO HONESTLY IS LOOKING FOR WORK; AND

(II) THE EXTENT OF THE EFFORT IN RELATION TO THE LABOR MARKET CONDITIONS IN THE AREA IN WHICH THE INDIVIDUAL IS SEEKING WORK.

(B) EMPLOYEES OF BLIND INDUSTRIES AND SERVICES.

THE SECRETARY MAY NOT USE BLINDNESS OR ANOTHER SEVERE DISABILITY AS A FACTOR IN FINDING THAT AN INDIVIDUAL IS NOT ABLE TO WORK UNDER SUBSECTION (A)(1)(I) OF THIS SECTION IF THE INDIVIDUAL WAS AN EMPLOYEE OF BLIND INDUSTRIES AND SERVICES OF MARYLAND IMMEDIATELY BEFORE BECOMING UNEMPLOYED.

(C) APPROVED TRAINING.

NOTWITHSTANDING ANY OTHER PROVISION OF THIS SECTION OR § 8-904 OR § 8-907(A) OR (B) OF THIS SUBTITLE, AN INDIVIDUAL WHO OTHERWISE IS ELIGIBLE TO RECEIVE BENEFITS AND WHO IS IN TRAINING WITH THE APPROVAL OF THE SECRETARY MAY NOT BE DENIED BENEFITS:

(1) FOR FAILURE TO MEET THE REQUIREMENTS OF SUBSECTION (A)(1)(I) AND(III) OF THIS SECTION TO BE AVAILABLE FOR WORK AND ACTIVELY SEEKING WORK; OR

(2) FOR FAILURE TO APPLY FOR OR REFUSAL TO ACCEPT SUITABLE WORK UNDER § 8-1005 OF THIS TITLE.

REVISOR'S NOTE: This section is new language derived without substantive change from the second through fifth and tenth sentences of former Art. 95A, § 4(c) and the first clause of the first sentence.