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Unemployment Compensation

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the obligations imposed upon the grantees by the deeds and the plaintiff did not.

ROBERT C. BENSING

UNEMPLOYMENT COMPENSATION

In *Krupa v. Western Union Telegraph Co.*,¹ a case of first impression, it was held that the receipt of severance pay barred unemployment compensation since there was evidence that the severance pay was in the nature of remuneration for the employee's subsequent period of unemployment. The dissent contended that all the evidence, except the union contract, indicated that the separation pay was not for loss of wages during unemployment but was in consideration of the length of service of employment and questioned whether the union contract could waive an individual's unemployment benefits.²

In *Nelson v. Van Horn Construction Co.*³ a laborer who sought work through his local union and the Ohio State Employment Service was held to have been "actively seeking work" as required by the Unemployment Compensation Act⁴ and, therefore, entitled to unemployment benefits.

The cases of *Collopy v. Haloway*⁵ and *Moore v. Foreacher*⁶ involved problems of administrative procedure. In the *Collopy* case the decision of the Administrator of the Bureau of Unemployment Compensation denying claimant benefits was affirmed by the Board of Review but for a reason different from that of the Administrator's. The court held that the Administrator had no right to appeal from the Board's decision in order to determine which reasoning was correct.

In the *Moore* case a court of appeals held that a notice of appeal from the Board of Review to a common pleas court which merely set forth the number of the decision of the Board's appeal docket, the appellant's social security number and the Board's statement that the appellant was not available for work sufficiently complied with the statute which required such notice of appeal to "set forth the decision appealed from."⁷ The court stated that the entire decision of the Board need not be incorporated in the notice of appeal.

OLIVER SCHROEDER, JR.

¹ 90 Ohio App. 90, 103 N.E.2d 784 (1951).

² *Id.* at 95-99, 103 N.E.2d 786-788.

³ 102 N.E.2d 57 (Trumbull Com. Pl. 1952).

⁴ OHIO GEN. CODE § 1345-6(a) (4).

⁵ 108 N.E.2d 878 (Hamilton Com. Pl. 1952).

⁶ 91 Ohio App. 28, 105 N.E.2d 80 (1951).

⁷ OHIO GEN. CODE § 1346-4.