



PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 937, TRENTON, NEW JERSEY 08625-0937

ROBERT ASARO-ANGELO
Commissioner

BOARD OF REVIEW

MINUTES OF REGULAR MEETING OF THE BOARD OF REVIEW MAY 8, 2024

WILLIAM SCAGLIONE, CHAIRPERSON

LISA HART, VICE-CHAIRPERSON

MARIA ZOLA, ACTING EXECUTIVE SECRETARY



BOARD OF
REVIEW

“Opportunity. Stability. Dignity.”

*New Jersey is an Equal Opportunity Employer
Printed on Recycled and Recyclable Paper*

AD-18.94 (9/23)

BOARD OF REVIEW MEETING OF MAY 8, 2024

MAY 8, 2024

.....
A regular meeting of the Board of Review was held on Wednesday, MAY 8, 2024, at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: William Scaglione, Chairperson, Lisa Hart, Vice-Chairperson, Maria Zola, Acting Executive Secretary,

In accordance with L1975, c.231, the Chairperson to the Board of Review opened the meeting with the following statement:

Notice of this meeting was filed with the Secretary of State and sent to the Trenton Times, Newark Star Ledger and Courier Post and posted in the Lobby of the Department of Labor, 1 John Fitch Plaza, Trenton, New Jersey.

All actions were by unanimous vote unless otherwise specified.

BOARD OF REVIEW MINUTES - MAY 8, 2024, MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the May 1, 2024, Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE MAY 1, 2024, BOARD MEETING.

SECTION A – HEARING MATTERS:

A-1 WITHDRAWAL OF APPEALS

1. BOR DKT. 00339364 (J.R.P.)

Claimant's communication was processed as an appeal of the decision of the Appeal Tribunal which held the claimant eligible for benefits under availability for work and not liable for the refund.

ACTION: BOARD VOTED TO ACCEPT THIS CASE AS WITHDRAWAL OF APPEALS.

A-2 VACATED APPEALS BY THE BOARD OF REVIEW

1. BOR DKT. 00290305 (J.D.)

Claimant's letter of appeal was docketed as an appeal to the Board of Review.

ACTION: BOARD VOTED TO ACCEPT THIS CASE AS VACATED APPEALS BY THE BOARD OF REVIEW.

A-3 DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUE

1. BOR DKT. 00299666 (M.N.)

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid and a liability to a non-fraud refund.

BOARD OF REVIEW MINUTES - MAY 8, 2024, MEETING

2. BOR DKT. 00316464 (M.W.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

3. BOR DKT. 00314456 (J.D.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for gross misconduct connected with the work and the validity of the claim.

4. BOR DKT. 00315521 (J.H.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

5. BOR DKT. 00308323 (M.M.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification for benefits for leaving work voluntarily without good cause attributable to the work.

6. BOR DKT. 00298830 (J.Z.)

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

7. BOR DKT. 00309903 (A.D.)

Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to non-registration for the hearing.

8. BOR DKT. 00316654 (V.L.)

Claimant appealed the decision of the Appeal Tribunal which denied the claimant's request for a pre-date of an unemployment claim.

9. BOR DKT. 00298357 (B.J.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS
DISMISSED APPEALS BY THE BOARD OF REVIEW DUE**

BOARD OF REVIEW MINUTES - MAY 8, 2024, MEETING

TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUE.

A-4 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. BOR DKT. 00313153 (M.A.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

2. BOR DKT. 00314386 (L.P.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

3. BOR DKT. 00317447 (N.D.)

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons under Section 2102(a)(3)(A)(ii)(I) of the Coronavirus Aid, Relief, and Economic Security Act (C.A.R.E.S.) Act and a liability to a non-fraud refund.

4. BOR DKT. 00320374 (J.C.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund.

5. BOR DKT. 00320166 (D.T.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

6. BOR DKT. 00287890 (S.E.)

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of unemployment benefits for leaving work voluntarily without good cause attributable to the work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a non-fraud refund.

7. BOR DKT. 00320676 (K.D.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed and liable for a non-fraud refund.

BOARD OF REVIEW MINUTES - MAY 8, 2024, MEETING

8. BOR DKT. 00322091 (D.H.)

Claimant appealed the decision of the Appeal Tribunal which denied the claimant's request for a pre-date of an unemployment claim.

9. BOR DKT. 00376714 (M.F.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work and a liability for a non-fraud refund.

10. BOR DKT. 00318845 (E.S.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

11. BOR DKT. 00320675 (D.J.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

12. BOR DKT. 00321184 (Z.W.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund.

13. BOR DKT. 00220913 (K.B.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work and a liability to a non-fraud refund.

14. BOR DKT. 00321068 (M.P.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work.

15. BOR DKT. 00287763 (C.C.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work and a liability to a non-fraud refund.

BOARD OF REVIEW MINUTES - MAY 8, 2024, MEETING

16. BOR DKT. 00320179 (C.E.)

Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to non-registration for the hearing.

17. BOR DKT. 00315435 (M.M.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work and a liability to a non-fraud refund.

18. BOR DKT. 00294203 (C.D.)

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid and a liability to a non-fraud refund.

19. BOR DKT. 00300448 (A.J.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits for failure to meet reporting requirements in accordance with Division regulations.

20. BOR DKT. 00280485 (I.M.)

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid.

21. BOR DKT. 00282039 (M.R.)

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily, and an ineligibility of benefits as the claimant was unable to work.

22. BOR DKT. 00228196 (J.D.P.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund.

23. BOR DKT. 00234403 (M.Z.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund.

BOARD OF REVIEW MINUTES - MAY 8, 2024, MEETING

24. BOR DKT. 00286575 (N.R.)

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility for benefits due to unavailability for work, a disqualification for benefits for leaving work voluntarily without good cause attributable to the work, a period of eligibility for Pandemic Unemployment Assistance, and a modified liability for a non-fraud refund.

25. BOR DKT. 00321881 (K.R.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily without good cause attributable to the work.

26. BOR DKT. 00318804 (E.G.)

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of unemployment benefits for leaving work voluntarily without good cause attributable to the work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability for a non-fraud refund.

27. BOR DKT. 00310443 (S.G.)

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid and a liability for a non-fraud refund.

28. BOR DKT. 00280208 (Z.Q.H.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

29. BOR DKT. 00322888 (J.B.)

Claimant appealed the decision of the Appeal Tribunal which denied the claimant's request for a pre-date of an unemployment claim.

30. BOR DKT. 00283026 (L.B.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

31. BOR DKT. 00299148 (Y.C.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for misconduct connected with the work.

BOARD OF REVIEW MINUTES - MAY 8, 2024, MEETING

32. BOR DKT. 00320782 (N.B.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

33. BOR DKT. 00280716 (C.P.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and a liability to a non-fraud refund.

34. BOR DKT. 00285699 (K.W.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

35. BOR DKT. 00314996 (M.F.)

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for a period of one year for an illegal receipt or attempted receipt of benefits as the result of false or fraudulent representation, and liable for a fraud and fine.

36. BOR DKT. 00314997 (M.F.)

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for a period of one year for an illegal receipt or attempted receipt of benefits as the result of false or fraudulent representation, and liable for a fraud and fine.

37. BOR DKT. 00318158 (R.F.C.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

38. BOR DKT. 00316541 (A.B.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

39. BOR DKT. 00278258 (E.S.)

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for benefits for refusing suitable work.

BOARD OF REVIEW MINUTES - MAY 8, 2024, MEETING

40. BOR DKT. 00321374 (V.B.)

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility for benefits as the claimant received both unemployment and disability benefits simultaneously and a liability to a non-fraud refund.

41. BOR DKT. 00303154 (M.A.)

Claimant appealed the decision of the Appeal Tribunal which denied the claimant's request for a pre-date of an unemployment claim.

42. BOR DKT. 00314132 (K.D.)

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

43. BOR DKT. 00318169 (J.C.)

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.

44. BOR DKT. 00269997 (M.K.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

45. BOR DKT. 00313816 (N.G.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause and ineligible for benefits under availability for work.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW.

A-5 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. BOR DKT. 00292933 (L.M.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification for benefits for leaving work voluntarily without good cause attributable to the work and a liability for a non-fraud refund.

BOARD OF REVIEW MINUTES - MAY 8, 2024, MEETING

2. BOR DKT. 00284408 (A.J.F.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified in the C.A.R.E.S. Act and liability for non-fraud refund.

3. BOR DKT. 00284885 (D.S.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant not unemployed, and liable for a non-fraud refund.

4. BOR DKT. 00300385 (P.D.)

Claimant appealed the decision of the Appeal Tribunal which denied the claimant's request for a pre-date of an unemployment claim.

5. BOR DKT. 00300320 (C.A.)

Claimant appealed the decision of the Appeal Tribunal which denied the claimant's request for a pre-date of an unemployment claim.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW.

A-6 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00321142 (M.G.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily and no ineligibility under availability for work.

2. BOR DKT. 00285469 (G.A.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms.

BOARD OF REVIEW MINUTES - MAY 8, 2024, MEETING

3. BOR DKT. 00313600 (S.P.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

4. BOR DKT. 00290761 (J.B.)

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for misconduct connected with the work. and holding the claimant not unemployed.

5. BOR DKT. 00320802 (S.G.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to such work and holding no disqualification of benefits for refusing suitable work.

6. BOR DKT. 00320194 (M.B.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

7. BOR DKT. 00282528 (M.T.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily with good cause attributable to such work and no liability for a non-fraud refund.

8. BOR DKT. 00278000 (L.M.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

9. BOR DKT. 00278617 (C.A.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

10. BOR DKT. 00301367 (R.D.)

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.

BOARD OF REVIEW MINUTES - MAY 8, 2024, MEETING

11. BOR DKT. 00319879 (R.C.J.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

12. BOR DKT. 00333843 (N.P.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as there was no justiciable issue.

13. BOR DKT. 00282727 (K.J.)

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of unemployment benefits for leaving work voluntarily without good cause attributable to the work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability for a non-fraud refund.

14. BOR DKT. 00281667 (M.M.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work and a liability to a non-fraud refund.

15. BOR DKT. 00325890 (A.K.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Mixed Earners Unemployment Compensation (MEUC) benefits as the claimant did not have sufficient self-employment income.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW.

A-7 REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. BOR DKT. 00277665 (B.G.)

Claimant appealed a decision dismissing the appeal as late without good cause.

ACTION: BOARD VOTED TO ACCEPT THIS CASE AS REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL.

BOARD OF REVIEW MINUTES - MAY 8, 2024, MEETING

A-8 REVERSED DECISIONS OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00301970 (K.A.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits for failure to meet reporting requirements in accordance with Division regulations.

2. BOR DKT. 00304559 (A.C.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause and ineligible for benefits under availability for work.

3. BOR DKT. 00319360 (J.E.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

4. BOR DKT. 00297217 (S.K.)

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REVERSED DECISIONS OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW.