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**State of New Jersey**  
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT  
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ROBERT ASARO-ANGELO  
*Commissioner*

**BOARD OF REVIEW**

**MINUTES OF REGULAR MEETING OF  
THE BOARD OF REVIEW  
FEBRUARY 9, 2022**

**NANCY HUNT, CHAIRPERSON**

**WILLIAM SCAGLIONE, VICE-CHAIR**

**ANDREA JACKSON, ACTING EXECUTIVE SECRETARY**

**BOARD OF REVIEW MEETING FEBRUARY 9, 2022**

**FEBRUARY 9, 2022**

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A regular meeting of the Board of Review was held on Wednesday, February 9, 2022 at 10:00 a.m., via conference call, in Trenton, New Jersey

**PRESENT:** Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, Andrea Jackson, 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 – FEBRUARY 9, 2022 MEETING

### BOARD MINUTES:

Submitted for adoption are the minutes of the January 26, 2022 Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE JANUARY 26, 2022 BOARD MEETING.**

### SECTION A – HEARING MATTERS:

#### A-1 WITHDRAWAL OF APPEALS

1. ANDREA GONZALEZ BOR DKT. 00264777

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under ability to work and liable for non-fraud refund.

2. DELMI HERNANDEZ BOR DKT. 00218698

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

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS WITHDRAWALS OF APPEALS.**

#### A-2 VACATED APPEALS TO THE BOARD OF REVIEW

1. BRITTANY PIETROPOLO BOR DKT. 00216806

Employer's correspondence was processed as an appeal to a decision of the Appeal Tribunal holding the claimant ineligible for regular benefits as she was not considered unemployed.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A VACATED APPEAL TO THE BOARD OF REVIEW.**

## BOARD OF REVIEW MINUTES – FEBRUARY 9, 2022 MEETING

### A-3 DISMISSALS OF LATE APPEALS OR NON-JUSTICIABLE ISSUES TO THE BOARD OF REVIEW

1. JUAN VARGAS BOR DKT. 00249015

Claimant appealed the decision of the Appeal Tribunal holding the claimant 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.

2. BETHANY OLEJARZ BOR DKT. 00248461

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons, and a liability to an agency refund.

3. JOSEPH ZOLLINGER BOR DKT. 00247579

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

4. GLORIA CONLEY BOR DKT. 00247224

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

5. FATEMA MUNNY BOR DKT. 00246972

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of 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 refund.

6. QUATEMA HOWARD BOR DKT. 00156823

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.

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7. DEEP SHULKA BOR DKT. 00216494

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under ability to work and a liability to a non-fraud refund.

8. GHAZALA CHOWDHARY BOR DKT. 00246815

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons and liable for an agency refund.

9. DULCE SANCHEZ BOR DKT. 00244160

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to work and availability to work and liable for non-fraud refund.

10. DULCE SANCHEZ BOR DKT. 00244158

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to work and availability to work and liable for non-fraud refund.

11. JANITZA ALEJANDRO BOR DKT. 00225944

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 under the CARES Act, a disqualification of benefits for leaving work voluntarily, and liable for a non-fraud refund.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS DISMISSALS OF LATE APPEALS OR NON-JUSTICIABLE ISSUES TO THE BOARD OF REVIEW.**

### A-4 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. BRUCE MULLINS BOR DKT. 00252635

Claimant appealed a decision of the Appeal Tribunal holding the regular claim invalid and an ineligibility for Pandemic Unemployment Assistance (PUA) benefits.

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**2. MILDRED BRADLEY** **BOR DKT. 00240795**

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

**3. BRIAN MULLINS** **BOR DKT. 00252635**

Claimant appealed a decision of the Appeal Tribunal holding the regular claim invalid and an ineligibility for Pandemic Unemployment Assistance (PUA) benefits.

**4. BELINDA MITCHELL** **BOR DKT. 00247927**

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

**5. GARY BASS** **BOR DKT. 00248089**

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and eligible for Pandemic Unemployment Assistance (PUA) benefits from July 19, 2020 through August 29, 2020.

**6. ROSA RODRIGUEZ** **BOR DKT. 00249140**

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

**7. SHEILA MALLEY** **BOR DKT. 00247788**

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

**8. MALCOLM SYKES** **BOR DKT. 00247926**

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

**9. DAVID MORGAN** **BOR DKT. 00249247**

Claimant appealed a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons and a liability to a non-fraud refund.

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**10. NICOLE CINQUE** BOR DKT. 00248608

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.

**11. AUDREY JOHNSONMOSS** BOR DKT. 00248474

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

**12. ALBIN CARDY MARTE** BOR DKT. 00247640

Claimant appealed a decision of the Appeal Tribunal holding the claimant disqualified for benefits for refusing work without good cause, ineligible for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

**13. CATHERINE SCHMIDT** BOR DKT. 00248786

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.

**14. DEBRA STUBBS** BOR DKT. 00250219

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

**15. MONICA SILVA** BOR DKT. 00249408

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.

**16. EDITH KREUZER** BOR DKT. 00247394

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

**17. GINA CHIRAFESI** BOR DKT. 00246880

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits as she failed to report in accordance with the regulations of the Division.

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**18. JENNA HAZEKAMP**

BOR DKT. 00244841

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

**19. OLIVIA ROBINSON**

BOR DKT. 00246422

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

**20. OLAYEMI AGAGU**

BOR DKT. 00246435

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

**21. JANETT GARCIA**

BOR DKT. 00252918

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

**22. MARIA GONZALEZ**

BOR DKT. 00246922

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

**23. TARIQ BAXLEY**

BOR DKT. 00246718

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

**24. MARDELIN DISLA**

BOR DKT. 00234298

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause, holding the claimant not unemployed, ineligible for benefits under ability to work.

**25. CARLOS RAMIREZ**

BOR DKT. 00238200

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for work under ability to work and a liability to a non-fraud refund.



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**26. CATHERINE OH** BOR DKT. 00238291

Claimant appealed a decision of the Appeal Tribunal ineligible for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

**27. GLORIA BOZOR** BOR DKT. 00238860

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Extended Benefits (EB).

**28. ADAM SCARANO** BOR DKT. 00240159

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Extended Benefits.

**29. ROBERT REIDINGER** BOR DKT. 00247184

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

**30. ALANNA ALEXANDER** BOR DKT. 00234029

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a non-fraud refund.

**31. JINNY DIAZ DE PINA** BOR DKT. 00243493

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work and a liability to a non-fraud refund.

**32. CHRISTOPHER LEAY** BOR DKT. 00245756

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

**33. IDOREYEN UDOTT** BOR DKT. 00250735

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

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### 34. CHRISTIANNA PITCHER

BOR DKT. 00245124

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

### 35. MILAGROS SELLARS

BOR DKT. 00252178

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

### 36. CAROLYN MORA

BOR DKT. 00250106

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

### 37. BRIAN NOLAN

BOR DKT. 00252335

Claimant appealed a decision of the Appeal Tribunal holding the weekly benefit rate reduced due to the receipt of a pension.

### 38. BREANNA LARKINS

BOR DKT. 00245009

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

### 39. MICHAEL GRIGGS

BOR DKT. 00234643

Claimant appealed a decision of the Appeal Tribunal holding him ineligible for benefits under actively seeking work and a liability to a refund.

### 40. BRINTHA JAYAPANDIAN

BOR DKT. 00233383

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, and ineligible Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons.

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41. VIRGINIA ASHLEY

BOR DKT. 00255212

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and an ineligibility of Pandemic Unemployment Assistance (PUA) as the claimant's unemployment was not due to one of the COVID-19 related reasons identified under the C.A.R.E.S. Act.

42. SVETLANA GIMPELEV

BOR DKT. 00243650

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

43. JOSHUA HADDAD

BOR DKT. 00231762

Deputy appealed a decision of the Appeal Tribunal holding him ineligible for benefits under employed full-time and liable for a non-fraud refund. **(Board voted to table this case to a future agenda to review correspondence recently received from the claimant).**

44. NAHZERE BULLOCK

BOR DKT. 00245299

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

45. SALLY KHALIFA

BOR DKT. 00246779

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.

46. LISA MESA

BOR DKT. 00246629

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.

47. YESENIA AYALA SR.

BOR DKT. 00248677

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

48. LISA HAND

BOR DKT. 00248693

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily and no liability for a non-fraud refund.

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**49. TERESA BERGER**

BOR DKT. 00247971

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

**50. RAYMOND HERRING**

BOR DKT. 00248206

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

**51. ALICIA KIM**

BOR DKT. 00247783

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

**52. MOHAMED SHALABY**

BOR DKT. 00248035

Claimant appealed a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons and a liability to an agency refund.

**53. ELIZABETH RICCI**

BOR DKT. 00248219

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

**54. ANITA ROTHMILLER**

BOR DKT. 00249177

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.

**55. MADINA TALL**

BOR DKT. 00248429

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.

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**56. CARLOS MATOS**

BOR DKT. 00248422

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

**57. AHMAD KHAN**

BOR DKT. 00248133

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under immigration status.

**58. CHRISTOPHER COELLO**

BOR DKT. 00214169

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

**59. RICHARD KREUSCH**

BOR DKT. 00207400

Claimant appealed a decision of the Appeal Tribunal holding a refund liability due to the receipt of a Workers' Compensation award.

**60. JOEL PAGAN**

BOR DKT. 00252298

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

**61. GRETTA BOHREN**

BOR DKT. 00232377

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

**62. STEPHEN MCCROSSIN**

BOR DKT. 00241606

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons, and a liability to an agency refund.

**ACTION: BOARD VOTED TO ACCEPT THE REMAINING 61 CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS.**

## BOARD OF REVIEW MINUTES – FEBRUARY 9, 2022 MEETING

### A-5 AFFIRMED AND MODIFIED DECISIONS OF THE APPEAL TRIBUNAL

1. MATTHEW MEONI BOR DKT. 00255259

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

2. RYAN LOFTEN BOR DKT. 00228992

Claimant appealed a decision of the Appeal Tribunal holding ineligibility of benefits under availability for work, ineligibility of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified under the C.A.R.E.S. Act, a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, and liable for a non-fraud refund.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMED AND MODIFIED DECISIONS OF THE APPEAL TRIBUNAL**

### A-6 REVERSALS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. DOLORES BECKER BOR DKT. 00248393

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

2. DARRELL STEWART BOR DKT. 00241458

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid and the claimant liable for refund.

3. HENRY MORGAN BOR DKT. 00252239

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, an ineligibility for Pandemic Unemployment Assistance (PUA) as the claimant's unemployment was not due to one of the COVID-19 related reasons identified under the CARES Act, and a liability for a non-fraud refund.

## BOARD OF REVIEW MINUTES – FEBRUARY 9, 2022 MEETING

4. SHEILA BURRIS BOR DKT. 00246377

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

5. ELEFThERIA HERRERA BOR DKT. 00244681

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons, and a liability to an agency refund.

6. ANTHONY MOLINO BOR DKT. 00164805

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

7. MIRANDA BUCCI BOR DKT. 00248447

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to 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 under the C.A.R.E.S. Act, and liable for a non-fraud refund.

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

### A-7 MODIFIED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR DEPUTY

1. SUSAN CHILVERS BOR DKT. 00252906

Claimant appealed a decision of the Appeal Tribunal which dismissed a portion of the appeal as late without good cause and a liability to a non-fraud refund.

2. DESTINY JAMES-GRADY BOR DKT. 00247427

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

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3. CARLOS ELVIR BOR DKT. 00240791

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility under ability to work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a refund liability.

4. BRANDON FAY BOR DKT. 00246544

Employer appealed a decision of the Appeal Tribunal holding the claimant not disqualified for regular benefits under leaving work voluntarily without good cause attributable to the work, eligible for Pandemic Unemployment Assistance (PUA) benefits and a liability to a non-fraud refund.

5. LUCAS BARRAZA BOR DKT. 00239026

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work with employer #1, voluntarily without good cause attributable to the work and a liability to an agency refund.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS MODIFIED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR DEPUTY.**

### A-8 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. HEERAL PATEL BOR DKT. 00248924

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

2. ALIA VERONICA RIOFRIO CRUZ BOR DKT. 00230870

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to work and liability for non-fraud refund.

3. DEBORAH FERGUSON BOR DKT. 00252552

Claimant appealed a decision of the Appeal Tribunal holding the claimant not unemployed, 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 under the C.A.R.E.S. Act, and liable for a non-fraud refund.



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**4. MARK BAUGH**

BOR DKT. 00229688

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

**5. SEAN ROWAN**

BOR DKT. 00233435

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, ineligibility for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons under the CARES Act, and liable for a non-fraud refund.

**6. KATHLEEN BURT**

BOR DKT. 00243857

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

**7. MELISSA APONTE**

BOR DKT. 00219748

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

**8. SHARON ROGERS**

BOR DKT. 00234170

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under employed full-time, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a non-fraud refund.

**9. CHRISTOPHER CIVIN**

BOR DKT. 00237165

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under employed full-time and ineligible for Pandemic Unemployment Assistance (PUA) benefits.

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### 10. ROSALIE BURRUANO

BOR DKT. 00236965

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

### 11. JANE ALMEIDA

BOR DKT. 00247692

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause through the date the determination was mailed and not ineligible for Pandemic Unemployment Assistance (PUA) as claimant was available for work.

### 12. CARMELO NIEVES

BOR DKT. 00249116

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

### 13. MATTHEW SCHMARAK

BOR DKT. 00247505

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

### 14. RAMONA DIAZ

BOR DKT. 00252432

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

### 15. LOUIS SANTIAGO

BOR DKT. 00247518

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

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

## BOARD OF REVIEW MINUTES – FEBRUARY 9, 2022 MEETING

### A-9 AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. MARCO MALDONADO BOR DKT. 00248019

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.

2. ALMERINDA FORNELOS BOR DKT. 00253312

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

3. LISA ROGERS BOR DKT. 00242200

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund as the claimant was employed with earnings.

4. ROBERT PELLEGRINO III BOR DKT. 00244612

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

5. YAMELETH BASTARDO BOR DKT. 00246059

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons, and liable for a non-fraud refund.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL.**

### A-10 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. DESIREE COOPER BOR DKT. 00248023

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

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**2. DEJA DEMARIA** BOR DKT. 00248258

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

**3. RICHARD LUNATI** BOR DKT. 00249275

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

**4. MEIZHEN ZHANG** BOR DKT. 00247515

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits.

**5. SAMANTHA ROBBERSON** BOR DKT. 00249106

Claimant appealed the Appeal Tribunal decision holding an ineligibility as the claimant was employed with earnings and a liability to a non-fraud refund.

**6. DAVID GALINDEZ** BOR DKT. 00249084

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

**7. KEYWAN BANNER GREEN** BOR DKT. 00246304

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits.

**8. DAYANARA FERRERAS** BOR DKT. 00246737

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

**9. HECTOR RIVERA** BOR DKT. 00247234

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

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**10. YEAHIA AHMED** BOR DKT. 00254512

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

**11. MICHAEL BYRNE** BOR DKT. 00238768

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

**12. JERMAINE DE PINA** BOR DKT. 00228196

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

**13. DANTE JOHNSON** BOR DKT. 00242265

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.

**14. ZACHARY GALLO** BOR DKT. 00255170

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

**15. KATELYN SENIA** BOR DKT. 00246296

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, 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 CARES Act, and liable for non-fraud refund.

**16. ALEC GEORGE** BOR DKT. 00247313

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

**17. LYNDA TRAN** BOR DKT. 00248738

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

## BOARD OF REVIEW MINUTES – FEBRUARY 9, 2022 MEETING

### 18. KIERSTYN SOTO

BOR DKT. 00233452

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

### 19. KIMBERLEY WILLIAMS

BOR DKT. 00233876

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed and 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.

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

## A-11 REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

### 1. LUIS CARRANZA

BOR DKT. 00247858

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

### 2. ISHA PATEL

BOR DKT. 00244971

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

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL.**

## SECTION B – MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

### B-1 TINA LINDOR

BOR DKT. 00248042

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, and a liability for a non-fraud refund. (**Appellate Specialist Zola**)

## BOARD OF REVIEW MINUTES – FEBRUARY 9, 2022 MEETING

**ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL TO CONSIDER NEW EVIDENCE SUBMITTED BY THE CLAIMANT, TO DETERMINE WHETHER THE CLAIMANT RESIGNED IN LIEU OF AN IMMEDIATE LAYOFF.**

**B-2 MARJORIE ZALEGOWSKI**

**BOR DKT. 00234403**

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund. (**Appellate Specialist Alverio**)

**ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR TESTIMONY FROM THE DEPUTY, WHO DID NOT PARTICIPATE IN THE INITIAL HEARING, TO ASCERTAIN THE REASON FOR THE AGENCY REFUND.**

**B-3 CHENE COOKE**

**BOR DKT. 00248462**

Deputy appealed a decision of the Appeal Tribunal holding the claimant eligible for Pandemic Unemployment Assistance (PUA), and not liable for a non-fraud refund. (**Appellate Specialist Zola**)

**ACTION: BOARD VOTED TO REMAND THIS CASE TO THE DEPUTY TO ISSUE A MONETARY RE-DETERMINATION BASED ON NEW EVIDENCE THAT WOULD SUBSTANTIATE A COMBINED WAGE CLAIM WHICH POTENTIALLY MAY AFFECT THE CLAIMANT'S LIABILITY TO REFUND BENEFITS PAID. THE CLAIMANT'S RIGHT TO APPEAL SHALL REMAIN INVIOLEATE FROM ANY NEW DETERMINATION OF THE DEPUTY AND DIRECTOR.**

**B-4 ALISSA BARROW**

**BOR DKT. 00254891**

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified under the C.A.R.E.S. Act, and liable for a non-fraud refund. (**Appellate Specialist Zola**)

## BOARD OF REVIEW MINUTES – FEBRUARY 9, 2022 MEETING

**ACTION:** BOARD VOTED TO MODIFY THE DECISION OF THE APPEAL TRIBUNAL AND HOLD NO DISQUALIFICATION OF BENEFITS UNDER N.J.S.A.43:21-5(a) AND NO DISQUALIFICATION OF BENEFITS UNDER N.J.S.A.43:21-5(b). ADDITIONALLY, THE CLAIM IS TO BE CONVERTED FROM A PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) CLAIM, TO A REGULAR UNEMPLOYMENT CLAIM.

**B-5** SYEDA KAUSAR

BOR DKT. 00248264

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

**ACTION:** BOARD VOTED TO MODIFY THE DECISION OF THE APPEAL TRIBUNAL AND HOLD THE CLAIMANT INELIGIBLE FOR REGULAR UNEMPLOYMENT BENEFITS UNDER N.J.S.A.43:21-4(c) AND ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS AS THE CLAIMANT'S UNEMPLOYMENT WAS DUE TO A QUALIFYING REASON UNDER THE C.A.R.E.S. ACT. THE MATTER OF THE QUALIFYING PERIODS FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS IS REMANDED TO THE DEPUTY.

**B-6** ROSA TORRES

BOR DKT. 00243432

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. (**Appellate Specialist Zola**)

**ACTION:** BOARD VOTED TO AFFIRM THE DECISION OF THE APPEAL TRIBUNAL WITH AN ADDITIONAL STATEMENT ADDRESSING THE CLAIMANT'S CONTENTIONS.