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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 22, 2023**

**NANCY HUNT, CHAIRPERSON**

**WILLIAM SCAGLIONE, VICE-CHAIR**

**LISA HART, MEMBER**

**MARIA ZOLA, ACTING EXECUTIVE SECRETARY**

**BOARD OF REVIEW MEETING February 22, 2023**

**FEBRUARY 22, 2023**

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**A regular meeting of the Board of Review was held on Wednesday, February 22, 2023 at 10:00 a.m., via conference call, in Trenton, New Jersey**

**PRESENT: Nancy Hunt, Chairperson, William Scaglione, 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 MEETING – FEBRUARY 22, 2023, AGENDA**

### **BOARD MINUTES:**

Submitted for adoption are the minutes of the February 8, 2023, Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE FEBRUARY 8, 2023, BOARD MEETING.**

### **SECTION A – HEARING MATTERS:**

#### **A-1 VACATED APPEALS BY THE BOARD OF REVIEW**

1. EDMUND MCCLEARY BOR DKT. 00270752

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

2. JOHN CARLUCCI BOR DKT. 00260179

Claimant's correspondence was processed as an appeal to a decision of the Appeal Tribunal which held the claimant eligible for Pandemic Unemployment Assistance (PUA) benefits.

3. KAREN CUNNINGHAM BOR DKT. 00250132

Claimant's correspondence holding her not ineligible for unemployment benefits was processed as an appeal to the Board of Review.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS VACATED APPEALS BY THE BOARD OF REVIEW.**

#### **A-2 DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUE**

1. DANIEL LAMAS BOR DKT. 00270239

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

2. JOHN BRIODY BOR DKT. 00268478

## BOARD OF REVIEW MEETING – FEBRUARY 22, 2023, AGENDA

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

3. ALTAGRACIA ULLOA BOR DKT. 00269651

Claimant appealed a decision of the Appeal Tribunal holding ineligibility for benefits on the ground that claimant was not unemployed.

4. JORDAN KINSLOW BOR DKT. 00270238

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. OHSUNG SON BOR DKT. 00237784

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

6. JAZZMIN WILLINGHAM BOR DKT. 00240979

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 for a refund.

7. KAVON WADE BOR DKT. 00260121

Claimant appealed a decision of the Appeal Tribunal denying the request to vacate a prior dismissal.

8. DAYVON BRINSON BOR DKT. 00272161

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS  
DISMISSED APPEALS BY THE BOARD OF REVIEW DUE  
TO UNTIMELY FILING OR FOR NON-JUSTICIABLE ISSUE.**

### A-3 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. BLAIR GLASS BOR DKT. 00268345

## BOARD OF REVIEW MEETING – FEBRUARY 22, 2023, AGENDA

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

2. NICOLLE BRITO DIAZ BOR DKT. 00268368

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

3. JENEEN BROWN-WILLIAMSON BOR DKT. 00271474

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

4. ALEXANDER TSALIKHIN BOR DKT. 00270811

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility for Extended Benefits as the claimant did not establish 20 base week or earn 40 times the weekly benefit rate during the base year period on the claim.

5. MAUREEN POWER BOR DKT. 00270100

Claimant appealed the decision of the Appeal Tribunal holding the claim for regular unemployment benefits invalid due to insufficient base weeks or wages, 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 liability for a non-fraud refund.

6. SAMANTHA THOMAS BOR DKT. 00271305

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 CARES Act and liability for non-fraud refund.

7. KATELYN ST. PIERRE BOR DKT. 00266273

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.

8. FRANCESCO CHIRICHELLA BOR DKT. 00270087

## BOARD OF REVIEW MEETING – FEBRUARY 22, 2023, AGENDA

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 CARES Act, and liable for a non-fraud refund.

9. HOLLY WICKSTROM BOR DKT. 00270825

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

10. GLORIMAR ARNAU BOR DKT. 00264041

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

11. HUNTER THOMAS BOR DKT. 00269222

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 CARES Act, and liable for a non-fraud refund.

12. KELVIN RODRIGUEZ ROSS BOR DKT. 00270950

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

13. CYNTHIA GEPHART BOR DKT. 00271246

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.

14. VICKI SIEGEL BOR DKT. 00258879

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.

15. CESAR MAHECHA BOR DKT. 00267979

## BOARD OF REVIEW MEETING – FEBRUARY 22, 2023, AGENDA

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 to a refund.

16. KATRINA LEWIS BOR DKT. 00257345

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under not unemployed and a liability to a refund.

17. PERLA JIMENEZ BOR DKT. 00272045

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 CARES Act and liability for non-fraud refund.

18. NICHOLAS NOLES BOR DKT. 00272221

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

19. YVETTE PAYNE BOR DKT. 00263675

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 CARES Act, and liable for a non-fraud refund.

20. DIANA LACHIRA BOR DKT. 00268412

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

21. WILLIAM FENNIMORE BOR DKT. 00263916

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

22. PATRICIA MCGAHERAN BOR DKT. 00270546

## BOARD OF REVIEW MEETING – FEBRUARY 22, 2023, AGENDA

Claimant appealed a decision of the Appeal Tribunal holding the claimant was not unemployed, disqualified for benefits for refusing to accept or apply for suitable work, and liable for a non-fraud refund.

23. PATRICIA MCGAHERAN BOR DKT. 00270548

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

24. SUSAN SHRAIM BOR DKT. 00262849

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim valid and an ineligibility for Extended Benefits.

25. PAUL ROY BOR DKT. 00270317

Claimant appealed a decision of the Appeal Tribunal holding a disqualification on benefits for leaving work voluntarily.

26. JACLYN TORRES BOR DKT. 00270288

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

27. SHANICE WHILBY BOR DKT. 00271069

Employer appealed a decision of the Appeal Tribunal holding no 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 CARES Act, and not liable for a non-fraud refund.

28. JERRY CLENDENEN BOR DKT. 00268090

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal through the date of mailing of the determination and holding an ineligibility of benefits under ability to work.

29. MONICA RAMIREZ BOR DKT. 00267568

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

30. MICHAEL BABETSKI BOR DKT. 00262617



## BOARD OF REVIEW MEETING – FEBRUARY 22, 2023, AGENDA

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

31. LASHONDA BRADLEY BOR DKT. 00269621

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

32. BRANDON TOMAK BOR DKT. 00270219

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for unemployment benefits under availability for work, 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 CARES Act, and liable for a non-fraud refund.

33. LISA SCARPA BOR DKT. 00301581

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

34. KECIA BURNETT BOR DKT. 00298248

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

35. KAREN MARTIN BOR DKT. 00295691

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training (ABT) after April 24, 2022 as she had completed the program outlined under Workforce Development Program (WDP) contract.

36. LOURDES MALDONADO RAMIREZ BOR DKT. 00254396

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

37. JOHN WALSH BOR DKT. 00271546

## BOARD OF REVIEW MEETING – FEBRUARY 22, 2023, AGENDA

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

38. KATHLEEN SCHEPPS BOR DKT. 00264506

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

39. JOSEPH TROTTO BOR DKT. 00292890

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

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

### **A-4 MODIFIED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW**

1. CHUNGLI TSAI BOR DKT. 00269903

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 CARES Act and liability for non-fraud refund.

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

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

## BOARD OF REVIEW MEETING – FEBRUARY 22, 2023, AGENDA

1. TIFFANY SILLS BOR DKT. 00267006

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

2. KATHLEEN PELLICCIA BOR DKT. 00266825

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

3. HERARD EXCELLENT BOR DKT. 00267773

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

4. NAZARE PERERIA BOR DKT. 00262287

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

5. CARLA ROBSON BOR DKT. 00260612

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms, was not unemployed, and liable for a non-fraud refund.

6. MICHAEL TAYLOR BOR DKT. 00266783

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 a liability to a non-fraud refund.

7. HERNAN MELO BOR DKT. 00263881

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

8. MOHAMMAD ARSHAD BOR DKT. 00254919

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

## BOARD OF REVIEW MEETING – FEBRUARY 22, 2023, AGENDA

the COVID-19 related reasons identified in the CARES Act and a liability to a non-fraud refund.

9. ASHLEY BOCK BOR DKT. 00270571

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 CARES Act, and a liability for a non-fraud refund.

10. JULIO LOPEZ CHAVEZ BOR DKT. 00267733

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause, ineligible for benefits under availability for work and liability for non-fraud refund.

11. FRANCIS FRESCHET BOR DKT. 00267790

Claimant appealed the 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 in the CARES Act.

12. IMIRRAH MARSHALL BOR DKT. 00237599

Deputy appealed a decision of the Appeal Tribunal holding no ineligibility for unemployment benefits under availability for work and no refund liability.

**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. LAZAR BLUMENFELD BOR DKT. 00270252

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

2. LAZAR BLUMENFELD BOR DKT. 00270253

## BOARD OF REVIEW MEETING – FEBRUARY 22, 2023, AGENDA

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

3. CAROL CURCIONE BOR DKT. 00270804

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

4. FELICIA FARMER BOR DKT. 00261602

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

5. PRECIOUS POWELL BOR DKT. 00265313

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

6. MAAN AYOUB BOR DKT. 00271026

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under ability to work.

7. ANDREW DE ROGATIS BOR DKT. 00266200

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

8. RAISA GARCIA BOR DKT. 00270503

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

9. JENNIFER NEGRON BOR DKT. 00254518

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

10. LATANYA ELIAS BOR DKT. 00255402

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, holding the claimant not unemployed and ineligible for benefits as the claimant had reasonable assurance of reemployment between terms.

## BOARD OF REVIEW MEETING – FEBRUARY 22, 2023, AGENDA

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

### A-7 REVERSED DECISIONS OF THE APPEAL TRIBUNAL

1. EDUARDO GARCIA BOR DKT. 00264595

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

2. LETICIA ACEVEDO BOR DKT. 00270770

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

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

### A-8 REVERSE DECISION OF THE APPEAL TRIBUNAL AND AFFIRM DEPUTY OR DIRECTOR DETERMINATIONS

1. MARIA RAMIREZ BOR DKT. 00269346

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

2. CARMEN HERRERA BOR DKT. 00267248

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

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REVERSE DECISION OF THE APPEAL TRIBUNAL AND AFFIRM DEPUTY OR DIRECTOR DETERMINATIONS.**