



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 1, 2024

WILLIAM SCAGLIONE, CHAIRPERSON

LISA HART, VICE-CHAIRPERSON

MARIA ZOLA, ACTING EXECUTIVE SECRETARY



BOARD OF  
REVIEW

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**BOARD OF REVIEW MEETING OF MAY 1, 2024**

**MAY 1, 2024**

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**A regular meeting of the Board of Review was held on Wednesday, MAY 1, 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 1, 2024, MEETING

### BOARD MINUTES:

Submitted for adoption are the minutes of the April 24, 2024, Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE APRIL 24, 2024, BOARD MEETING.**

### SECTION A – HEARING MATTERS:

#### A-1 WITHDRAWAL OF APPEALS

1. BOR DKT. 00302556 (P.D.)

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

2. BOR DKT. 00357363 (E.G.)

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

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

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

1. BOR DKT. 00319967 (J.A.)

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

2. BOR DKT. 00278401 (A.H.)

Claimant's communication was processed as an appeal of the decision of the Appeal Tribunal which held 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.

3. BOR DKT. 00314306 (T.S.)

Claimant's correspondence was erroneously processed as an appeal to the Board of Review.

## BOARD OF REVIEW MINUTES - MAY 1, 2024, MEETING

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES 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. 00316799 (C.W.O.)**

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

**2. BOR DKT. 00314274 (M.G.)**

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. 00286609 (A.S.)**

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

**4. BOR DKT. 00295798 (S.L.)**

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

**5. BOR DKT. 00321291 (M.P.)**

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

**6. BOR DKT. 00286422 (S.D.)**

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a fraud refund and disqualification of one year from the date of discovery.

**7. BOR DKT. 00286421 (S.D.)**

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a fraud refund and disqualification of one year from the date of discovery.

## BOARD OF REVIEW MINUTES - MAY 1, 2024, MEETING

### 8. BOR DKT. 00267848 (J.Z.)

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.

### 9. BOR DKT. 00320679 (J.B.)

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

### 10. BOR DKT. 00241205 (O.Z.)

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

### 11. BOR DKT. 00299668 (J.A.)

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility for Disability During Unemployment as the claimant was not totally disabled.

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

## A-4 DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW

### 1. BOR DKT. 00290913 (J.R.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal decision, which dismissed the claimant's appeal as late without good cause.

**ACTION: BOARD VOTED TO ACCEPT THIS CASE AS DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW.**

## BOARD OF REVIEW MINUTES - MAY 1, 2024, MEETING

### A-5 REOPENED BOARD OF REVIEW APPEALS

#### 1. BOR DKT. 00270946 (K.C.)

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.

**ACTION: BOARD VOTED TO ACCEPT THIS CASE AS REOPENED BOARD OF REVIEW APPEALS.**

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

#### 1. BOR DKT. 00312060 (G.G.)

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

#### 2. BOR DKT. 00279594 (G.S.C.)

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

#### 3. BOR DKT. 00280026 (N.A.)

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

#### 4. BOR DKT. 00279299 (H.H.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for either leaving work voluntarily without good cause attributable to the work or as a result of a discharge for misconduct.

#### 5. BOR DKT. 00285526 (A.S.)

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.

#### 6. BOR DKT. 00320403 (K.T.)

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

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**7. BOR DKT. 00319668 (G.B.)**

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

**8. BOR DKT. 00318288 (A.R.)**

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 for misconduct connected with the work.

**9. BOR DKT. 00316339 (M.H.)**

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

**10. BOR DKT. 00315194 (D.M.)**

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

**11. BOR DKT. 00291762 (B.F.)**

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

**12. BOR DKT. 00321594 (A.G.)**

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

**13. BOR DKT. 00321672 (H.A.H.)**

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

**14. BOR DKT. 00324306 (A.M.)**

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

**15. BOR DKT. 00303401 (D.B.)**

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

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**16. BOR DKT. 00321206 (C.A.)**

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

**17. BOR DKT. 00321590 (F.B.)**

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

**18. BOR DKT. 00320804 (G.L.)**

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

**19. BOR DKT. 00321542 (J.S.)**

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

**20. BOR DKT. 00304187 (G.C.)**

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

**21. BOR DKT. 00304153 (T.M.)**

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant was employed full-time and liability for non-fraud refund.

**22. BOR DKT. 00320957 (B.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.

**23. BOR DKT. 00321141 (M.L.)**

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund that was caused by the result of the Appeal Tribunal's decision under a different docket number.



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**24. BOR DKT. 00320257 (D.C.)**

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

**25. BOR DKT. 00308656 (J.D.)**

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

**26. BOR DKT. 00320332 (S.H.)**

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

**27. BOR DKT. 00321024 (T.L.)**

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

**28. BOR DKT. 00320501 (J.C.)**

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

**29. BOR DKT. 00298506 (N.C.)**

Employer appealed the decision of the Appeal Tribunal which held the claimant eligible for disability benefits and the employer liable for benefit charges on the disability claim.

**30. BOR DKT. 00270181 (K.W.H.)**

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 liability for a non-fraud refund.

**31. BOR DKT. 00320763 (R.R.)**

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

**32. BOR DKT. 00284168 (K.L.)**

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

## BOARD OF REVIEW MINUTES - MAY 1, 2024, MEETING

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

### **A-7 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW**

**1. BOR DKT. 00313545 (J.R.)**

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits as the claimant was a full-time student, and ineligible for benefits under availability for work.

**2. BOR DKT. 00317412 (A.P.)**

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

**3. BOR DKT. 00295202 (M.J.)**

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

**4. BOR DKT. 00282523 (E.D.)**

Claimant appealed the decision of the Appeal Tribunal holding the claimant employed full-time.

**5. BOR DKT. 00353501 (J.R.)**

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

**6. BOR DKT. 00317546 (R.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.

**7. BOR DKT. 00324779 (A.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.

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8. BOR DKT. 00320322 (S.M.)

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

9. BOR DKT. 00275972 (K.O.)

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

10. BOR DKT. 00316725 (C.F.)

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 for a non-fraud refund.

11. BOR DKT. 00279225 (N.F.)

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under employed with earnings and a liability for a non-fraud refund.

12. BOR DKT. 00312479 (S.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.

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

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

1. BOR DKT. 00317167 (C.L.)

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

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2. BOR DKT. 00318026 (S.S.)

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. 00309938 (S.V.)

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.

4. BOR DKT. 00313334 (L.F.)

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 DECISIONS OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW.**