



PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lieutenant Governor*

**State of New Jersey**  
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT  
P.O. Box 110  
TRENTON, NEW JERSEY 08625-0110

ROBERT ASARO-ANGELO  
*Commissioner*

**BOARD OF REVIEW**

**MINUTES OF REGULAR MEETING OF  
THE BOARD OF REVIEW  
MAY 27, 2020**

**JOSEPH SIEBER, CHAIRMAN**

**NANCY HUNT, VICE-CHAIRPERSON**

**WILLIAM SCAGLIONE, MEMBER**

**SHARAHZAD A. LEDAN, ACTING EXECUTIVE SECRETARY**

**BOARD OF REVIEW MEETING MAY 27, 2020**

**MAY 27, 2020**

.....  
**A regular meeting of the Board of Review was held on Wednesday, May 27, 2020 at 10:00 a.m., via conference call, in Trenton, New Jersey**

**PRESENT: Joseph Sieber, Chairman, Nancy Hunt, Vice-Chairperson, William Scaglione, Member, Sharahzad A. Ledan, Acting Executive Secretary.**

**In accordance with L1975, c.231, the Chairman 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 27, 2020 MEETING

### BOARD MINUTES:

Submitted for adoption are the minutes of the May 20, 2020 Board meeting.

**ACTION: THE BOARD VOTED TO ADOPT THE MINUTES OF THE MAY 20, 2020 OPEN PUBLIC MEETING.**

### OLD BUSINESS:

**1. LESLEY BARRINGTON**

BOR DKT. 00206092

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause attributable to such work. **(This case was tabled in the meeting of May 20, 2020 to be further discussed in the meeting of May 27, 2020).**

**ACTION: THE BOARD VOTED TO TABLE THIS CASE UNTIL THE MEETING OF JUNE 3, 2020 TO ALLOW ADDITIONAL TIME FOR APPELLATE SPECIALIST TO REVIEW THE MERITS OF THE CASE.**

**2. BRANDON HIGGINS**

BOR DKT. 00205056

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for misconduct connected with the work. **(This case was tabled in the meeting of May 20, 2020 to be further discussed in the meeting of May 27, 2020).**

**ACTION: THE BOARD VOTED TO TABLE THIS CASE UNTIL THE MEETING OF JUNE 3, 2020 TO ALLOW ADDITIONAL TIME FOR THE APPELLATE SPECIALIST TO REVIEW THE MERITS OF THE CASE.**

## BOARD OF REVIEW MINUTES – MAY 27, 2020 MEETING

### SECTION A – HEARING MATTERS

#### A-1 WITHDRAWAL OF APPEALS

1. ANNMARIE ESPOSITO-MIRANDA BOR DKT. 00205744

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

**ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASE AS A WITHDRAWAL OF AN APPEAL.**

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

1. JOAN GINCLEY BOR DKT. 00164842

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

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

#### A-3 DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW

1. OLGA FERREIRA BOR DKT. 00192971

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

2. PATRICIA INCOLLINGO BOR DKT. 00203766

Claimant appealed decision of the Appeal Tribunal dismissing her appeal of the Director's determination as it was filed late without good cause.

3. EVELYN RICHARDSON-SCOTT BOR DKT. 00204651

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

## BOARD OF REVIEW MINUTES – MAY 27, 2020 MEETING

4. STEVEN WILSON BOR DKT. 00195349

The claimant appealed a decision of the Appeal Tribunal which held the claimant disqualified for benefits for leaving work voluntarily and a non-fraud refund liability.

5. AMBAR HICHEZ BOR DKT. 00192109

The claimant appealed a decision of the Appeal Tribunal holding her disqualified for misconduct connected with the work.

6. SHERISHA OGUJE BOR DKT. 00203290

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

**ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW.**

### A-4 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. ALTICE WILLIAMS BOR DKT. 00203641

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

2. LYNN SCHROEDER BOR DKT. 00192411

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

3. MICHAEL VIGILANTE BOR DKT. 00203931

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

4. REGINA CLINE BOR DKT. 00198013

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

## BOARD OF REVIEW MINUTES – MAY 27, 2020 MEETING

5. AGUSTIN CRESPO BOR DKT. 00201773

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility of benefits under Additional Benefits during Training.

6. HEATHER PAVLIC BOR DKT. 00199732

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

7. JAMES FABREGAS BOR DKT. 00203737

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

8. JULIO ARIAS BOR DKT. 00204865

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

9. DIANA GOODE BOR DKT. 00203288

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

10. KELSEY HAAS BOR DKT. 00203561

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

11. THERESA DELONG BOR DKT. 00203086

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

12. RACHEL O'NEILL BOR DKT. 00206282

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

13. EMMANUEL DONKOR BOR DKT. 00205826

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility of benefits for ABT.

## BOARD OF REVIEW MINUTES – MAY 27, 2020 MEETING

**14. AMANEE BRADFORTH** BOR DKT. 00205718

Claimant appealed the decision of the Appeal Tribunal holding a disqualification for benefits for misconduct connected with the work and full-time student disqualification.

**15. SOUZAH HANNA** BOR DKT. 00205006

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

**16. JASON WARREN** BOR DKT. 00205073

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

**17. ALANA WHITE** BOR DKT. 00205071

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

**18. JENNIFER POLANCO** BOR DKT. 00202359

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

**19. STEPHEN TREMBLEY** BOR DKT. 00205315

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

**20. PIERRE BONURA** BOR DKT. 00205682

Claimant appealed decision of the Appeal Tribunal dismissing the appeal of the Deputy's determination as the appeal was filed late without good cause attributable to such work.

**21. RENEE PREDMORE** BOR DKT. 00201863

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

## BOARD OF REVIEW MINUTES – MAY 27, 2020 MEETING

**22. DEBRA ALMEIDA**

BOR DKT. 00205656

Claimant appealed decision of the Appeal Tribunal which held her disqualified for benefits on the ground that the claimant refused an offer of suitable work without good cause.

**23. DEBRA ALMEIDA**

BOR DKT. 00205655

Claimant appealed decision of the Appeal Tribunal which held her disqualified for benefits on the ground that the claimant left the work voluntarily without good cause attributable to such work.

**24. LEVINA FERGUSON**

BOR DKT. 00175710

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

**25. SHELLEY CONNOLLY**

BOR DKT. 00204926

The employer appealed a decision of the Appeal Tribunal which held no disqualification for benefits for misconduct connected with the work.

**26. NADIN BABAYAN**

BOR DKT. 00205427

The claimant filed an appeal to a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

**27. MICHAEL DOUGLAS**

BOR DKT. 00204590

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

**28. WILLIAM CATINO**

BOR DKT. 00205351

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

**29. AMARJIT KAINTH**

BOR DKT. 00206060

The claimant appealed a decision of the Appeal Tribunal holding the claimant disqualified for misconduct connected with the work.

**30. WILLIAM KERSTNER**

BOR DKT. 00206318

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



## BOARD OF REVIEW MINUTES – MAY 27, 2020 MEETING

**31. CARLOS CORAL** BOR DKT. 00205825

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

**32. MARITZA GLASS** BOR DKT. 00206296

The claimant appealed a decision of the Appeal Tribunal holding her unavailable for work and liable for a non-fraud refund.

**33. KRISTINA VARELA** BOR DKT. 00206122

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

**34. KATHRYN ERCOLANI** BOR DKT. 00203628

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

**35. FRANK COPPOLA** BOR DKT. 00206623

The claimant appealed a decision of the Appeal Tribunal holding a period of ineligibility for failing to comply with reporting requirements and for not actively seeking work.

**36. JAMES GOMEZ** BOR DKT. 00205402

The claimant appealed a decision of the Appeal Tribunal which held him ineligible for Additional Benefits During Training when his full-time attendance ended.

**37. STEVE FELICE** BOR DKT. 00203874

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

**38. MATTHEW KSIEZOPOLSKI** BOR DKT. 00205689

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

## BOARD OF REVIEW MINUTES – MAY 27, 2020 MEETING

### 39. REINALDO MENDEZ

BOR DKT. 00204901

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

### 40. ROBERT GILLMAN

BOR DKT. 00206054

Claimant appealed the decision of the Appeal Tribunal holding that wages subsequent to a disqualification of benefits for leaving work voluntarily are insufficient to remove the disqualification.

### 41. DANA WALLS

BOR DKT. 00205106

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

**ACTION: THE BOARD VOTED TO REMOVE FROM THE AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS LIST #41 DANA WALLS. UPON FURTHER DISCUSSION, THE BOARD VOTED TO REMAND THIS CASE BACK TO THE APPEAL TRIBUNAL FOR FURTHER TESTIMONY. THE BOARD THEN VOTED TO ACCEPT THE REMAINING 40 CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS.**

## A-5 REVERSALS OF APPEAL TRIBUNAL DECISIONS

### 1. GLENNY PEREZ

BOR DKT. 00205286

The claimant filed an appeal to a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

### 2. DIASHA WOODS

BOR DKT. 00204001

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

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

## BOARD OF REVIEW MINUTES – MAY 27, 2020 MEETING

### A-6 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. DONNA PRYOR BOR DKT. 00199553

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

**ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASE AS A MODIFICATION OF AN APPEAL TRIBUNAL DECISION.**

### A-7 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. DENNIS CHHIM BOR DKT. 00194409

Claimant appealed the decision of the Appeal Tribunal holding him ineligible for benefits as he was unavailable for work.

2. MIA MCDONALD BOR DKT. 00199628

Employer appeals the decision of the Appeal Tribunal which dismissed the case without prejudice.

3. MARIA RODRIGUEZ BOR DKT. 00196421

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

4. LEKISHA COUSINS BOR DKT. 00205730

Employer is appealing the decision of the Appeal Tribunal holding no disqualification of benefits under voluntary leaving or misconduct.

5. MARGOT LISCHIN BOR DKT. 00207067

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal of the Deputy's determination as it was filed late without good cause.

6. JOSE FELICIANO BOR DKT. 00205177

Employer appealed a decision of the Appeal Tribunal holding no disqualification for discharge from the work.

## BOARD OF REVIEW MINUTES – MAY 27, 2020 MEETING

7. DIANA GUTIERREZ BOR DKT. 00206151

The claimant appealed a decision of the Appeal Tribunal which held her ineligible for benefits on the ground that she was employed full-time and liable for a non-fraud refund.

8. JAIRO PARRA BOR DKT. 00204581

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

9. BOZENA JOZWIK BOR DKT. 00209637

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

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

### **SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION**

B-1 KONSTANTINE MAKRYGIANNIS BOR DKT. 00204902

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: THE BOARD VOTED TO REMAND THIS CASE FOR THE APPEALS EXAMINER TO EXPLORE THE FMLA INCONSISTENCIES AS TESTIFIED BY THE CLAIMANT.**

B-2 TAURIA CHESTNUT BOR DKT. 00203939

The claimant appealed the decision of the Appeal Tribunal holding an ineligibility under ABT for self-enrolling.

## BOARD OF REVIEW MINUTES – MAY 27, 2020 MEETING

**ACTION: THE BOARD VOTED TO REMAND THIS CASE TO HAVE THE DEPUTY MAKE CORRECTIONS AND TO EXPAND ON THE RECORD.**

### **EXECUTIVE SESSION:**

**10:32 THE BOARD VOTED TO GO INTO EXECUTIVE SESSION FOR LEGAL ADVICE.**

**10:33 THE BOARD VOTED TO COME OUT OF EXECUTIVE SESSION AND RESUME THE REGULAR OPEN PUBLIC MEETING. AT WHICH TIME A MOTION WAS MADE BY MR. SCAGLIONE TO ADJOURN THE MEETING AND SECONDED BY MS. HUNT, THE MEETING WAS THEN ADJOURNED.**