



**State of New Jersey**

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT  
P.O. Box 110  
TRENTON, NEW JERSEY 08625-0110

ROBERT ASARO-ANGELO  
*Commissioner*

IVER  
*Lieutenant Governor*

**BOARD OF REVIEW**

**MINUTES OF REGULAR MEETING OF  
THE BOARD OF REVIEW  
SEPTEMBER 16, 2020**

**NANCY HUNT, CHAIRPERSON**

**WILLIAM SCAGLIONE, VICE-CHAIR**

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

# BOARD OF REVIEW MINUTES – SEPTEMBER 16, 2020 MEETING

## BOARD MINUTES:

Submitted for adoption are the minutes of the September 9, 2020 Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE  
SEPTEMBER 9, 2020 MEETING.**

## SECTION A – HEARING MATTERS

### **A-1 DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW**

**1. HEIDI STUBNER-DEXTER** **BOR DKT. 00204670**

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

**2. KRISTEN APPESE** **BOR DKT. 00207008**

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

**3. CHRISTIAN SCHROEDER** **BOR DKT. 00209194**

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

**4. MICHELLE LARRANAGA** **BOR DKT. 00202902**

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

**5. JAMES DINAPOLI** **BOR DKT. 00206533**

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

**6. ALEXIA KONKO** **BOR DKT. 00210356**

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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7. KARLA GATTI BOR DKT. 00196040

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

8. ASHLEY HOFFMAN BOR DKT. 00208958

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

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

**A-2 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS**

1. JULEE RESTREPO BOR DKT. 00209427

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

2. WILLIAM KEETH BOR DKT. 00207381

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

3. RICARCO RAMIREZ-RAMIREZ BOR DKT. 00210412

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

4. MICHAEL JAKA, JR. BOR DKT. 00206846

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

5. LILY COLLIER BOR DKT. 00208814

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

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**6. BARBARA ZENGEWALD** BOR DKT. 00212459

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

**7. DOUGLAS KNEHR** BOR DKT. 00207221

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

**8. ANNY CANARIO** BOR DKT. 00212421

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work. **(Board voted to modify the Appeal Tribunal decision from a voluntary quit disqualification to an invalid claim as the claimant was not unemployed.)**

**9. DAVID HICKS** BOR DKT. 00212664

Claimant appealed a decision of the Appeal Tribunal reducing the weekly benefit rate on the ground that the claimant is receiving a pension from a base year employer.

**10. APRIL ROSS** BOR DKT. 00213399

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

**11. EKTA GUPTA** BOR DKT. 00213394

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

**12. MARYELLEN MCCLAIN** BOR DKT. 00204986

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Additional Benefits during Training.

**13. HOPE ENGELHART** BOR DKT. 00213278

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work. **(Board voted to Remand for additional testimony.)**

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**14. MALIK ALI**

BOR DKT. 00212028

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

**15. YAAKOV BERGER**

BOR DKT. 00212451

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

**16. MICHAEL CONROY**

BOR DKT. 00212184

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

**17. JAQUILINE MARGWARTH**

BOR DKT. 00213859

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

**18. WENDY SMITH**

BOR DKT. 00213091

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

**19. JATNIELA TREJO**

BOR DKT. 00205742

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

**20. JEWEL GRINER**

BOR DKT. 00213089

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

**21. GIANNA FACCENDA**

BOR DKT. 00213398

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause. **(Board voted to table this case to a future agenda pending a post review.)**

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22. ESMERALDA MONTAS BOR DKT. 00214047

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

23. JOSEPH SANTIAGO, SR. BOR DKT. 00213067

Employer appealed a decision of the Appeal Tribunal dismissing appeal as late without good cause. **(Board voted to table this case to a future agenda pending a post review.)**

24. JONATHAN JOHNSON BOR DKT. 00205577

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

25. DEMETRIUS ROBERSON BOR DKT. 00210423

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

26. JOAN KILBRIDE BOR DKT. 00212935

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

27. PATRICIA GUARDUCCI BOR DKT. 00213196

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, and holding the claimant liable for non-fraud refund. **(Board voted to modify the Appeal Tribunal decision from ineligible to invalid claim as the claimant was not unemployed but on a leave of absence.)**

28. CRISTINA DEL GENIO BOR DKT. 00213389

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and the claimant had insufficient subsequent weeks and wages to remove the disqualification.

29. MELISSA DECENCO BOR DKT. 00213322

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work. **(Board voted to table to a future agenda pending further review.)**

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**30. DYLAN JOHNSON**

**BOR DKT. 00213430**

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

**31. MEGAN MOLINOWSKI**

**BOR DKT. 00213595**

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

**32. MARYANNE DARLING**

**BOR DKT. 00213733**

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

**ACTION: BOARD VOTED TO ACCEPT THE REMAINING 26 CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS.**

**A-3 REVERSALS OF APPEAL TRIBUNAL DECISIONS**

**1. GREGORY MAGARELLI**

**BOR DKT. 00212035**

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

**ACTION: BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION REGARDING TIMELINESS OF THE APPEAL AND AFFIRM THE DEPUTY'S DETERMINATION.**

**A-4 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY**

**1. DONNA SANCHEZ**

**BOR DKT. 00204764**

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

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2. JAEDA THOMAS BOR DKT. 00207174

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

3. BRIAN CROWE BOR DKT. 00204954

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

4. UCHENA USONWU BOR DKT. 00210927

Claimant appealed the decision of the Appeal Tribunal dismissing her appeal due to non-registration for the hearing.

5. ISAIAH DYE BOR DKT. 00201930

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

6. MUHAMMED ISLAM BOR DKT. 00211479

Claimant appealed a decision of the Appeal Tribunal holding that the appeal was filed late with good cause and holding a disqualification for leaving the work voluntarily and liability for non-fraud refund.

7. BRANDON JUSTUS BOR DKT. 00209243

Employer appealed a decision of the Appeal Tribunal holding no disqualification for discharge for misconduct connected to the work. **(Board voted to table this case to a future agenda to send correspondence to the employer to inquire why the appeal is late.)**

8. VINCENZO TUBITO BOR DKT. 00192919

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

9. TASIA ALI BOR DKT. 00213003

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



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**10. MAGNO BECILLA**

BOR DKT. 00213743

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

**11. GILBERTO RIVERA**

BOR DKT. 00204855

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

**12. GREGORY EZEANI**

BOR DKT. 00213616

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible under availability for work due to not having a valid work authorization card.

**13. JUSTIN GUZMAN**

BOR DKT. 00213049

Employer appealed a decision of the Appeal Tribunal holding the claimant filed a late appeal with good cause and no disqualification of benefits for misconduct connected with the work.

**14. BRIAN GARGANTA**

BOR DKT. 00213817

Claimant appealed a decision of the Appeal Tribunal which dismissed the appeal through the date the determination was mailed as it was filed late without good cause and held the claimant eligible for benefits for a portion of the period as he was available for work.

**15. STEVEN FRIEDRICH**

BOR DKT. 00212443

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

**ACTION: BOARD VOTED TO ACCEPT THE REMAINING 14 ITEMS AS REMANDS TO THE APPEAL TRIBUNAL OR THE DEPUTY.**

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

**B-1** MARIANGELI CANCELA BOR DKT. 00211257

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to such work. (**Appellate Specialist Matos**)

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION.**

**B-2** CHRISTOPHER COELLO BOR DKT. 00214169

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and liable for a non-fraud refund. (**Appellate Specialist Matos**)

**ACTION: BOARD VOTED TO REMAND TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY.**

**B-3** JOHN VANNESS BOR DKT. 00212492

Claimant appealed a decision of the Appeal Tribunal holding a period of ineligibility on the ground that the claimant was not unemployed. (**Appellate Specialist Alverio**)

**ACTION: BOARD VOTED TO REMAND THIS CASE FOR ADDITIONAL TESTIMONY REGARDING THE TERMS AND CONDITIONS OF THE WORK, INCLUDING HIS HOURS OF WORK.**