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DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
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Commissioner

BOARD OF REVIEW

**MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
SEPTEMBER 29, 2021**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

ANDREA JACKSON, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING SEPTEMBER 29, 2021

SEPTEMBER 29, 2021

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A regular meeting of the Board of Review was held on Wednesday, September 29, 2021 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.

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BOARD MINUTES:

Submitted for adoption are the minutes of the September 15, 2021 Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE
SEPTEMBER 15, 2021 BOARD MEETING.**

OLD BUSINESS:

1. MATTHEW BRAND **BOR DKT. 00240750**

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and liable for a non-fraud refund. **(This case was tabled in the meeting of September 1, 2021. Placed on this agenda for further discussion by the Board.)**

**ACTION: BOARD VOTED TO REMAND THIS CASE TO
THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY
TO DETERMINE WHETHER THE CLAIMANT HAD
GOOD CAUSE FOR LEAVING THE JOB.**

2. KEITH SCOTT **BOR DKT. 00239897**

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. **(The Board voted to reverse the Appeal Tribunal decision in the meeting of September 15, 2021, with respect to the timeliness of the appeal and remand the matter of eligibility for pandemic unemployment assistance (PUA) benefits from December 20, 2020 through February 27, 2021 to the Appeal Tribunal.)**

**ACTION: BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL
DECISION WITH RESPECT TO THE TIMELINESS OF
THE APPEAL TO THE APPEAL TRIBUNAL AND
REMAND THE MATTER OF WHETHER THE CLAIMANT
IS ELIGIBLE FOR PANDEMIC UNEMPLOYMENT
ASSISTANCE (PUA) BENEFITS.**

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SECTION A – HEARING MATTERS

A-1 WITHDRAWAL OF APPEALS

1. FRANK DELLISANTI BOR DKT. 00234034

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

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

A-2 VACATED APPEALS TO THE BOARD OF REVIEW

1. RANDY WILLIAMS BOR DKT. 00225233

Claimant's letter was processed as an appeal to a decision of the Appeal Tribunal holding a disqualification of benefits for refusal of suitable work and a liability to a non-fraud refund.

2. ADRIAN DUNCAN BOR DKT. 00240411

Employer's letter was processed as an appeal to a decision of the Appeal Tribunal holding the claimant ineligible for benefits under employer full-time and liable for a non-fraud refund.

3. SCOTT ROTHBART BOR DKT. 00234542

Claimant's letter was processed as an appeal of a denial of Pandemic Unemployment Assistance (PUA) benefits from 05/24/20 through 02/26/21, as the claimant's unemployment was not due to one of the COVID-19 related reasons and liable for a non-fraud refund for the week ending 05/30/20.

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

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

1. LINDSAY BEAULIEU **BOR DKT. 00221716**

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

2. NIMAL INSAR **BOR DKT. 00235686**

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.

3. MONA AZIM **BOR DKT. 00233943**

Claimant appealed a decision of the Appeal Tribunal holding the exhaustion of all benefit entitlement.

4. ANAM BAIG **BOR DKT. 00222029**

Claimant appealed a decision of the Appeal Tribunal holding her ineligible for Family Leave During Unemployment benefits.

5. PHILLIP OKNER **BOR DKT. 00233129**

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for regular and Pandemic Unemployment Assistance (PUA) benefits and liable for a refund.

6. BRITTANY GOMEZ **BOR DKT. 00224101**

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.

7. GEETA POPAT **BOR DKT. 00225872**

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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8. RACHEL BARNETT BOR DKT. 00239187

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal due to lack of jurisdiction.

9. JAMIL BUCKUSE BOR DKT. 00203105

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

10. KESHIA ROBINSON BOR DKT. 00239189

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

11. MIGUEL DELVILLAR-FEDERIC BOR DKT. 00237442

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

12. ALIYA ROBINSON BOR DKT. 00239191

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.

13. SAIGE LOFTON BOR DKT. 00206340

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

14. LISA WALDRON BOR DKT. 00243945

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 LATE APPEALS AND NON-JUSTICIABLE ISSUES TO THE BOARD OF REVIEW.

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

1. RAMESHCHANDRA SHAH BOR DKT. 00144861

Claimant is requesting a reconsideration of the Board of Review’s decision, dismissing the Appeal Tribunal’s decision dismissing the claimant’s appeal as there was no justiciable issue.

2. EILEEN CICCHETTI BOR DKT. 00217047

Claimant is requesting a reconsideration of the Board of Review’s decision, dismissing the Appeal Tribunal’s decision dismissing the claimant’s appeal as late without good cause.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW.

A-5 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. DIANE HERNANDEZ BOR DKT. 00239674

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.

2. KENNETH LEWIS BOR DKT. 00239283

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

3. FARRY FRANCIS BOR DKT. 00237540

Claimant appealed a denial of Extended Benefits.

4. MOHAMMAD KABIR BOR DKT. 00238442

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 a non-fraud refund.

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5. KAREN KAYALO **BOR DKT. 00215948**

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits as the weekly earnings exceeded the partial benefit rate and a liability to a non-fraud refund.

6. LI WANG **BOR DKT. 00238984**

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

7. DINO RUSSO **BOR DKT. 00240876**

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant may qualify for regular unemployment benefits from another state, and liable for a non-fraud refund.

8. BRIANNA ROJAO **BOR DKT. 00236325**

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

9. ROSARIO COLAN **BOR DKT. 00238916**

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.

10. CONSUELO FERNANDEZ LORENZO **BOR DKT. 00224055**

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

11. KENNETH FOX **BOR DKT. 00240393**

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 non-fraud refund.

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12. RACHEL JANDER

BOR DKT. 00232200

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

13. IAN MCLAY

BOR DKT. 00238800

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 a non-fraud refund. **(Board voted to table this case for further review of additional information submitted from the claimant's attorney).**

14. LAURA SMITH

BOR DKT. 00239678

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

15. ALEJANDRO GARCIA NUÑEZ

BOR DKT. 00233478

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 in the C.A.R.E.S. Act and liability for a non-fraud refund.

16. ADRIEL LAHENS

BOR DKT. 00239459

Claimant appealed a denial of Pandemic Unemployment Assistance (PUA) benefits and a liability for a non-fraud refund.

17. GIANNA MOLENARO

BOR DKT. 00241681

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, an ineligibility for benefits under availability for work and a liability for a non-fraud refund.

18. DEANNA D'ELIA

BOR DKT. 00240708

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

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19. YUJIN HONG BOR DKT. 00236570

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.

20. BARRY EDELMAN BOR DKT. 00238679

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

21. NEAL PATEL BOR DKT. 00241753

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

22. JEFFREY HILL BOR DKT. 00236970

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

23. ANTONIA MARTINEZ BOR DKT. 00229222

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

24. IYESHA ALGHALI BOR DKT. 00242302

Claimant appealed a decision of the Appeal Tribunal which dismissed the appeal as late without good cause and the claimant ineligible for benefits under ability to work.

25. ZACHARY DAVIS BOR DKT. 00241961

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

26. DANIELLE MANNING RODGERS BOR DKT. 00238662

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

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27. VINCENT DEMARZO BOR DKT. 00213160

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

28. DANIELLE SINGLETARY BOR DKT. 00239071

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

29. NATINA BERRY BOR DKT. 00224092

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

30. ISIAH PAGAN BOR DKT. 00242222

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause. **(Board voted to reverse the Appeal Tribunal decision with respect to the timeliness of the appeal to the Appeal Tribunal and remand the matter of the claimant's eligibility for benefits).**

31. DUNG NGUYEN BOR DKT. 00240711

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.

32. SHIREA CARROLL BOR DKT. 00242026

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant may be eligible for unemployment benefits in another State and liability for a non-fraud refund.

33. DEBORAH LONG BOR DKT. 00242372

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 a liability to a non-fraud refund.

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34. LISA ROMEO BOR DKT. 00240865

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid as there were insufficient weeks and wages, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant may be eligible for unemployment benefits in another State and liability for a non-fraud refund.

35. YASMEEN NELSON BOR DKT. 00243659

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

36. SERENA TOWNSEND BOR DKT. 00242109

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant may be eligible for unemployment benefits in another State and liability for a non-fraud refund.

37. ROBIN LIPTON GOLDSTEIN BOR DKT. 00241259

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

38. LORRAINE MARTINEZ BOR DKT. 00243035

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

39. JUDE INFANTE BOR DKT. 00243022

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 C.A.R.E.S. Act. **(Board voted to reverse the decision of the Appeal Tribunal with respect to the voluntary leaving disqualification, hold the claimant eligible for Pandemic Unemployment Assistance (PUA) benefits and refer the backdating of the PUA claim to the Deputy and convert the PUA claim to a regular UI claim as of 11/15/20).**

40. PATRICK TURNER BOR DKT. 00212284

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of regular unemployment benefits for leaving work voluntarily without good cause attributable to the work and eligible for Pandemic Unemployment Assistance

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(PUA) benefits as the claimant's unemployment was due to one of the COVID-19 related reasons.

41. KEVIN MOLINA **BOR DKT. 00241204**

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.

42. DIANNE TANNER **BOR DKT. 00238675**

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid due to insufficient base weeks and base year earnings to establish a valid claim.

43. SARA STERN **BOR DKT. 00243511**

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

44. HARRISON TALBOT **BOR DKT. 00243625**

Claimant appealed a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant may be entitled to regular unemployment benefits in another state and a liability for a non-fraud refund.

45. TUSHAR VERMA **BOR DKT. 00243408**

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 an agency refund.

46. JUNIOR BAEZ **BOR DKT. 00243605**

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

47. YVES TONGSON **BOR DKT. 00242685**

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.

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48. SIMONA KRSTEVSKA **BOR DKT. 00242905**

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.

49. HEMAMALINI RAMESH **BOR DKT. 00242726**

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

50. AMADA PERRY **BOR DKT. 00236475**

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits from 05/03/20 through 01/30/21, under availability for work, from 08/02/20 through 08/15/20 and 10/11/20 through 12/19/20, under ability to work, and liable for a non-fraud refund.

51. EULALIA CONTRERAS **BOR DKT. 00239217**

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.

ACTION: BOARD VOTED TO ACCEPT THE REMAINING 48 CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS.

A-6 REVERSALS OF APPEAL TRIBUNAL DECISIONS

1. LAURIE ROUSE **BOR DKT. 00222048**

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

2. JOEL CESPEDES **BOR DKT. 00218303**

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

3. TONI FAVORETTO **BOR DKT. 00238810**

Claimant appealed a decision of the Appeal Tribunal which denied the claimant's request for a pre-date of a Pandemic Unemployment Assistance (PUA) claim.

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4. SARAH LUDMIR **BOR DKT. 00242888**

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

5. CLOTINA DARDEN **BOR DKT. 00242311**

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for a pre-date.

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

A-7 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. CHARLOTTE HUDSON JACKSON **BOR DKT. 00238511**

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

2. ONICKY MITCHELL **BOR DKT. 00242238**

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.

3. DARREN CABLE **BOR DKT. 00242139**

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for PEUC from 06/14/20, and liable for a non-fraud refund.

4. MACHELLE ORRELL **BOR DKT. 00243104**

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

5. WILLIAM HO **BOR DKT. 00243208**

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 a non-fraud refund.

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6. MERRY DELORENZO BOR DKT. 00244126

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 a non-fraud refund.

7. ZACHARY RACUSIN BOR DKT. 00239129

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.

8. DIANA SIERRA BOR DKT. 00238260

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

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

A-8 MODIFICATIONS AND REVERSALS OF APPEAL TRIBUNAL DECISIONS

1. SERGIO PABON BOR DKT. 00232930

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work from 04/12/20 through 10/17/20 and a denial of Pandemic Unemployment Assistance (PUA) benefits from 04/12/20 through 10/17/20, as the claimant's unemployment was not due to one of the COVID-19 related reasons.

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

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A-9 REQUESTS FOR RECONSIDERATION FROM THE SUPERIOR COURT

1. ALEIXO CARVELHO BOR DKT. 00209518

Appellate Division granted the Board's motion for remand to obtain additional information regarding the claimant's separation from the employment.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REQUEST FOR RECONSIDERATION FROM THE SUPERIOR COURT.

A-10 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. TAKEISHA TALMADGE BOR DKT. 00237438

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits under voluntary leaving.

2. LISA KIRK BOR DKT. 00236685

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

3. EUSEBIO BONILLA BOR DKT. 00237912

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

4. IRMA DELGADO BOR DKT. 00238012

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

5. PATRICIA TAVARES BOR DKT. 00239736

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits from May 24, 2020 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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6. JOHN SKEHAN **BOR DKT. 00241769**

Claimant appealed a decision of the Appeal Tribunal affirming the claimant's weekly benefit rate for Pandemic Unemployment Assistance (PUA) benefits.

7. JENNIFER LAWTON **BOR DKT. 00230001**

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

8. ROBERT HOGG **BOR DKT. 00237853**

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

9. MARTINA RUBIO **BOR DKT. 00240473**

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 holding the claimant liable for a non-fraud refund.

10. BRYAN AULAR GARCIA **BOR DKT. 00237206**

Claimant appealed a decision of the Appeal Tribunal which dismissed a portion of the appeal and held the claimant ineligible for benefits under employed full-time.

11. JOSSELINE GUTIERREZ **BOR DKT. 00241108**

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

12. JEANETTE BOYLE **BOR DKT. 00240286**

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for extended unemployment compensation, and liable for a non-fraud refund.

13. JUAN RAMIREZ **BOR DKT. 00234544**

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

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14. EDWARD GERMADNIG BOR DKT. 00240085

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

15. RENEE LAKE BOR DKT. 00238724

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.

16. MARGARET GREALIS BOR DKT. 00241062

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

17. SALVATORE PALERMO BOR DKT. 00239124

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

18. LUCKY BEGUM BOR DKT. 00233152

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

19. JOSEPH DE MATTEO BOR DKT. 00240098

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 a non-fraud refund.

20. VICTOR ANZIANI BOR DKT. 00242586

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 in the C.A.R.E.S. Act.

21. MARLON ESCALANTE BOR DKT. 00242256

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

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22. ISISTYKURA HAYLETT **BOR DKT. 00242408**

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

23. KATHLEEN COSTANEY **BOR DKT. 00242303**

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

24. AARONDI NEWSON-WILLIAMS **BOR DKT. 00243115**

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 no disqualification of benefits for misconduct connected with the work.

25. RAMONA FLETCHER **BOR DKT. 00241637**

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.

26. KLAUS WEIHENIG **BOR DKT. 00241840**

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed, and, liable for refund.

27. NETSON PRINCE **BOR DKT. 00235202**

Claimant appealed the decision of the Appeal Tribunal holding a prior voluntary leaving disqualification still in effect and a liability to a non-fraud and agency refund.

28. SHANIA HALL **BOR DKT. 00240414**

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

29. HENRY SCHEETZ **BOR DKT. 00242689**

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

**BOARD OF REVIEW MEETING – SEPTEMBER 29, 2021
AGENDA**

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

A-11 AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. JULIA MORALES-ABBUD BOR DKT. 00235626

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 that subsequent weeks and wages were insufficient to remove the disqualification imposed.

2. TANAYSIA CLARKSON BOR DKT. 00243780

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.

3. MICHAEL ARBITELL BOR DKT. 00241274

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
AFFIRMED AND REMANDED DECISIONS TO THE
APPEAL TRIBUNAL.**

A-12 REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. CATRICE BYRD BOR DKT. 00242111

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

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A
REVERSED AND REMANDED DECISION TO THE
APPEAL TRIBUNAL.**

**BOARD OF REVIEW MEETING – SEPTEMBER 29, 2021
AGENDA**

SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 JARER RAHMAN

BOR DKT. 00242253

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. (**Appellate Specialist Zola**)

ACTION: BOARD VOTED TO AFFIRM THE DECISION OF THE APPEAL TRIBUNAL WITH RESPECT TO THE DISQUALIFICATION FOR REGULAR UNEMPLOYMENT BENEFITS IN ACCORDANCE WITH N.J.S.A. 43:21-5(A), REMAND THE MATTER OF THE CLAIMANT'S POTENTIAL ELIGIBILITY FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS TO THE DEPUTY TO MAKE AN INITIAL DETERMINATION AND HOLD THE MATTER OF THE NON-FRAUD REFUND IN ABEYANCE PENDING THE DEPUTY'S DETERMINATION FOR PUA BENEFITS.

B-2 MICHELLE WILLIAMSON

BOR DKT. 00240898

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under actively seeking work, and liable for a non-fraud refund. (**Appellate Specialist Zola**)

ACTION: BOARD VOTED TO AFFIRM THE DECISION OF THE APPEAL TRIBUNAL WITH RESPECT TO THE INELIGIBILITY FOR REGULAR UNEMPLOYMENT BENEFITS FROM APRIL 5, 2020 THROUGH MARCH 6, 2021, UNDER N.J.S.A.43:21-4(c), AND REMAND THE MATTER OF THE CLAIMANT'S POTENTIAL ELIGIBILITY FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS TO THE APPEAL TRIBUNAL.

**BOARD OF REVIEW MEETING – SEPTEMBER 29, 2021
AGENDA**

B-3 YULY LENIS BOR DKT. 00241738

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work and liable for a non-fraud refund. (**Appellate Specialist Jackson**)

ACTION: BOARD VOTED TO TABLE THIS CASE FOR FURTHER REVIEW OF DIVISION RECORDS.

B-4 TARYN ONGSIAKO BOR DKT. 00242137

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause through the mailing date of the deputy's determination and liable for a non-fraud refund. (**Appellate Specialist Jackson**)

ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY REGARDING THE CLAIMANT'S SELF-EMPLOYMENT.

B-5 TABASSUM SYED BOR DKT. 00237471

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 liable for an agency refund. (**Appellate Specialist Jackson**)

ACTION: BOARD VOTED TO TABLE THIS CASE FOR FURTHER REVIEW OF THE UIPL.

B-6 GALE SHANNON BOR DKT. 00240840

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, and liable for a non-fraud refund. (**Appellate Specialist Zola**)

**BOARD OF REVIEW MEETING – SEPTEMBER 29, 2021
AGENDA**

ACTION: BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION AND HOLD THE CLAIMANT 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 AND NOT LIABLE FOR A NON-FRAUD REFUND.

B-7 MATTHEW MCGOLDRICK

BOR DKT. 00230567

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause through 08/01/20, ineligible for Pandemic Unemployment Assistance (PUA) benefits from 08/02/20, and referred to the Deputy the monetary entitlement. (**Appellate Specialist Zola**)

ACTION: BOARD VOTED TO AFFIRM THE DECISION OF THE APPEAL TRIBUNAL WITH RESPECT TO THE CLAIMANT’S APPEAL BEING DISMISSED ON TIMELINESS THROUGH AUGUST 1, 2020 AND REMAND THE MATTER OF WHETHER THE CLAIMANT IS ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS FROM AUGUST 23, 2020.

B-8 BAILA CHERRICK

BOR DKT. 00239428

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. (**Appellate Specialist Alverio**)

ACTION: BOARD VOTED TO MODIFY THE DECISION OF THE APPEAL TRIBUNAL AND HOLD THE CLAIMANT ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS AFTER JUNE 27, 2020, AS THE CLAIMANT’S UNEMPLOYMENT, AS OF THAT DATE, WAS DUE TO A QUALIFYING REASON UNDER THE C.A.R.E.S. ACT.