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DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
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BOARD OF REVIEW

**MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
OCTOBER 14, 2020**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

SHAHRAZAD A. LEDAN, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING OCTOBER 14, 2020

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A regular meeting of the Board of Review was held on Wednesday, October 14, 2020 at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, Shahrazad A. Ledan, Acting Executive Secretary, Keith Austin, Director.

In accordance with L1975, c.231, the Acting 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 – OCTOBER 14, 2020 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the October 7, 2020 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE OCTOBER 7, 2020 BOARD MEETING.

OLD BUSINESS:

1. TINA RUSSO BOR DKT. 00192143

Claimant appealed to the Superior Court from a decision of the Board of Review which affirmed the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work. **(This case was tabled in the meeting of October 7, 2020 pending a post review)**

ACTION: BOARD VOTED TO TAKE THIS CASE BACK AND REMAND TO THE APPEAL TRIBUNAL TO REVIEW THE ADDITIONAL INFORMATION.

SECTION A – HEARING MATTERS

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

1. MONICA ROSERO BOR DKT. 00209555

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. LIBELIZ CRUZ-FRANCISCO BOR DKT. 00208035

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 make the claimant's appeal timely to the Board and table this case to a future agenda for the appellate specialist to review the merits.)**

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3. FATIMA RANA BOR DKT. 00211840

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 REMAINING 2 ITEMS AS DISMISSALS TO THE BOARD OF REVIEW.

A-2 DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW

1. STEPHANIE CARO BOR DKT. 00208154

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision which held the claimant liable to a non-fraud refund.

2. NANA AKYEANSAH BOR DKT. 00117403

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding the claimant ineligible for benefits on the ground that the claimant was unavailable for work.

3. WARREN PARKER BOR DKT. 00206233

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision which held the claimant disqualified for benefits for leaving work voluntarily without good cause attributable to such work.

4. MICHAEL UCCI BOR DKT. 00207436

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding the claimant liable for a non-fraud refund.

5. DANIELLE WILLIAMS BOR DKT. 00208974

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding the claimant disqualified for benefits for leaving work voluntarily without good cause attributable to such work.

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6. VICTORIA MOYNIHAN BOR DKT. 00210491

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding the claimant disqualified for benefits for leaving work voluntarily without good cause attributable to such work.

7. VASILIOS KARIDIS BOR DKT. 00210854

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding the claimant disqualified for benefits for leaving work with employer #1 voluntarily without good cause attributable to such work.

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

A-3 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. PHILIP HARDT BOR DKT. 00207137

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

2. ROHINI MITRA BOR DKT. 00209502

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

3. WARDELL CORBIN BOR DKT. 00207720

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

4. SELVIA SEDHOM BOR DKT. 00208922

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

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5. UMUT KARSANOGLU BOR DKT. 00207377

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

6. ERIC CLEMENT BOR DKT. 00212961

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

7. MICHAEL MULLEN BOR DKT. 00213113

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

8. NIKKI GRAY BOR DKT. 00200389

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

9. GEURY FELIPE BOR DKT. 00202803

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

10. YASH SHAH BOR DKT. 00231219

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 holding the claimant liable for refund.

11. ROBERT CHRISTIE BOR DKT. 00213752

Claimant appealed the decision of the Appeal Tribunal holding a reduction of benefits due to a pension offset.

12. JOY JONES BOR DKT. 00197556

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 vacate the claimant's appeal and forward the claimant's appeal to the Appeal Tribunal.)**

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13. DANIELLE DAVIS

BOR DKT. 00214578

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

14. KENNETH CURCIO

BOR DKT. 00210959

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

15. GADIEL GONZALEZ

BOR DKT. 00211591

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

16. ERENIA LUNA

BOR DKT. 00212770

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

17. DAVID KIRSCHENBAUM

BOR DKT. 00210401

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

18. DENISE CROWLEY

BOR DKT. 00213613

Claimant filed an appeal to a decision of the Appeal Tribunal holding her not unemployed and liable for a non-fraud refund.

19. BETHANY OLIVO

BOR DKT. 00211889

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

20. RICHARD GIMBEL

BOR DKT. 00216040

Claimant appealed a decision of the Appeal Tribunal holding the claimant filed a timely appeal and claim dated March 22, 2020 invalid.

BOARD OF REVIEW MINUTES – OCTOBER 14, 2020 MEETING

ACTION: BOARD VOTED TO ACCEPT THE REMAINING 19 ITEMS AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS.

A-4 REVERSALS OF APPEAL TRIBUNAL DECISIONS

1. BETANIA CRUZ BOR DKT. 00211481

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. **(Board voted to table to a future agenda pending a post review.)**

2. SARAH OBIRI-YEBOAH BOR DKT. 00214174

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 REMAINING ONE ITEM AS A REVERSAL OF AN APPEAL TRIBUNAL DECISION.

A-5 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. MARY MEADOWS BOR DKT. 00213916

Claimant appealed a decision of the Appeal Tribunal holding the claimant was not unemployed, the claim was invalid, and not disqualified for benefits for leaving work voluntarily without good cause attributable to such work. **(Board voted to affirm the Appeal Tribunal The Board will instruct the Deputy to make a PUA determination and establish a new claim.)**

2. WARREN VETTER BOR DKT. 00215057

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility as the claimant was not available for work.

3. DONNA GLOGOZA BOR DKT. 00213254

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

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ACTION: BOARD VOTED TO ACCEPT THE REMAINING TWO ITEMS AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS.

A-6 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. MESHANA MILES BOR DKT. 00199994

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal due to failure to register for the hearing.

2. GLENN MARKEY BOR DKT. 00212499

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

3. LAUREN WELLS BOR DKT. 00214642

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

4. MICHAEL LUKASH BOR DKT. 00213514

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause. **(Board voted to hold the claimant's appeal late with good cause to the Appeal Tribunal. Reverse the timeliness and Remand for a decision on the merits.)**

5. MICHAEL LUKASH BOR DKT. 00213515

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

6. SHAKIRA CEESAY BOR DKT. 00214045

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

7. SALLY CIMINO BOR DKT. 00212903

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

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8. LISA MILLER BOR DKT. 00208087

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

9. CLIFFORD HARRINGTON BOR DKT. 00214956

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

10. KRISTIN STEFANOWICZ BOR DKT. 00214399

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause. **(Board voted to Reverse the timeliness as late with good cause and Remand to the Appeal Tribunal for a decision on the merits.)**

11. JESSICA SHEA BOR DKT. 00214769

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

12. FEMKE VAN BEEK BOR DKT. 00214775

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause through May 23, 2020.

13. JOSEPH HOGAN BOR DKT. 00208056

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

14. VICTOR ALEJANDRO BOR DKT. 00214874

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

15. FRANCINE VIZZI BOR DKT. 00214475

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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16. CHRISTINA VILLASANA

BOR DKT. 00216957

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 REMANDS TO THE APPEAL TRIBUNAL OR THE DEPUTY.

SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 MATTHEW MCCOY

BOR DKT. 00216554

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

ACTION: BOARD VOTED TO REVERSE THIS CASE WITH A REWRITE TO INDICATE THAT THE CLAIMANT WAS A UNION MEMBER AND WAS LOOKING FOR WORK.

B-2 ROSEMARIE GRAGNANO

BOR DKT. 00214650

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

ACTION: BOARD VOTED TO REMAND FOR ADDITIONAL TESTIMONY TO DETERMINE WHETHER IT WAS A LEAVE OF ABSENCE OR A QUIT.

B-3 JAMIE PENROSE

BOR DKT. 00213710

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily. (**Appellate Specialist Jackson**)

ACTION: BOARD VOTED TO REMAND FOR ADDITIONAL TESTIMONY.

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B-4 MARY MURPHY

BOR DKT. 00213323

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work. (**Appellate Specialist Matos**)

ACTION: BOARD VOTED TO TABLE THIS CASE TO A FUTURE AGENDA FOR FURTHER REVIEW.