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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
OCTOBER 27, 2021**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

ANDREA JACKSON, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING OCTOBER 27, 2021

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A regular meeting of the Board of Review was held on Wednesday, October 27, 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.

BOARD OF REVIEW MINUTES – OCTOBER 27, 2021 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the October 13, 2021 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE OCTOBER 13, 2021 BOARD MEETING WITH THE EXCEPTIONS OF DOCKET# DKT00241814, SECTION A-4 ITEM 11, AND DOCKET #DKT00244042, SECTION B ITEM B-5. THESE TWO ITEMS WERE REMOVED TO CONSIDER NEW CORRESPONDENCE.

OLD BUSINESS:

1. LAYEK HUSAN

BOR DKT. 00237420

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 connected with the work, not ineligible under availability for work, and not liable for a non-fraud refund. **(This case was tabled in the meeting of September 1, 2021 to send correspondence to the employer to determine why the employer failed to register and participate in the continued hearing.)**

ACTION: BOARD VOTED TO AFFIRM THE DECISION OF THE APPEAL TRIBUNAL AS THE EMPLOYER FAILED TO RESPOND TO THE CORRESPONDENCE REGARDING THE REASON THEY FAILED TO REGISTER AND PARTICIPATE IN THE CONTINUED HEARING.

2. SABLE WASHINGTON

BOR DKT. 00240436

Employer appealed a decision of the Appeal Tribunal holding the claimant not ineligible for benefits under availability for work, eligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was due to one of the COVID-19 related reasons identified under the CARES Act, and not liable for a non-fraud refund. **(This case was tabled in the meeting of September 1, 2021 to send correspondence to the employer to determine why the employer failed to register and participate in the hearing.)**

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ACTION: BOARD VOTED TO AFFIRM THE DECISION OF THE APPEAL TRIBUNAL AS THE EMPLOYER FAILED TO RESPOND TO THE CORRESPONDENCE REGARDING THE REASON THEY FAILED TO REGISTER AND PARTICIPATE IN THE HEARING.

3. BARBARA VERNACCHIA **BOR DKT. 00238819**

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits and liable for a non-fraud refund. **(This case was tabled in the meeting of August 18, 2021 pending further review. Placed on this agenda for further discussion by the Board.)**

ACTION: BOARD VOTED TO TABLE THIS CASE TO GIVE THE DEPUTY AN OPPORTUNITY TO ADDRESS THE LOCALIZATION ISSUE.

4. JENNIFER PETRISKO **BOR DKT. 00242117**

Claimant appealed 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 for a non-fraud refund. **(This case was tabled in the meeting of October 13, 2021 pending further review. Placed on this agenda for further discussion by the Board.)**

ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY REGARDING THE LOCALIZATION OF SERVICES. THE AUDITOR WILL BE ADDED TO THE DOCKET TO PARTICIPATE IN THE HEARING.

5. ERIC POOLER **BOR DKT. 00241814**

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. **(This case was affirmed in the meeting of October 13, 2021. Placed on this agenda for further review from the Board.)**

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ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL TO CONSIDER NEW EVIDENCE.

6. HAROLD KRAMER

BOR DKT. 00242560

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund. **(This case was tabled in the meeting of October 13, 2021 to contact the Deputy to adjudicate the claimant's entitlement to pandemic unemployment assistance (PUA) benefits on the claim dated March 15, 2021.)**

ACTION: BOARD VOTED TO DISMISS THE CLAIMANT'S APPEAL AS NO BENEFIT DISPUTE DUE TO THE DEPUTY'S RE-DETERMINATION.

7. JOHN WALSH

BOR DKT. 00244042

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work. **(The Board voted to affirm the Appeal Tribunal decision in the meeting of October 13, 2021. This case is placed back on this agenda for further discussion by the Board.)**

ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL TO CONSIDER NEW CORRESPONDENCE RECEIVED FROM THE CLAIMANT.

SECTION A – HEARING MATTERS

A-1 WITHDRAWAL OF APPEALS

1. KARYN LEWIS

BOR DKT. 00245007

Claimant appealed a 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 CASE AS A WITHDRAWAL OF AN APPEAL.

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A-2 VACATED APPEALS TO THE BOARD OF REVIEW

1. JENNIFER FRATIANNI BOR DKT. 00247752

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

2. STEPHEN SMILEY BOR DKT. 00241553

Claimant appealed, in error, the decision of the Appeal Tribunal holding the claimant not unemployed from July 26, 2020 through August 15, 2020.

3. EVELYN JIMENEZ BOR DKT. 00242776

Claimant appealed a decision of the Appeal Tribunal holding the claimant not ineligible for benefits under availability for work.

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

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

1. CHRISTINA BLANKENSHIP BOR DKT. 00243152

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

2. MARQUIS HART BOR DKT. 00243172

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

3. MONICO STANISLAO BOR DKT. 00214688

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under ability to work.

4. VIOLA HENSON BOR DKT. 00217286

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

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5. LEEANNA CHRISTIAN BOR DKT. 00237441

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily a liability to a non-fraud refund, and denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons.

6. ANDRES ESCOBAR BOR DKT. 00245075

Claimant appealed, in error, a decision of the Appeal Tribunal holding the claimant eligible for benefits under availability for work.

7. WILLIAM BARKSDALE BOR DKT. 00240163

Claimant appealed a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant does not have a recent labor market attachment.

8. WILLIAM BARKSDALE BOR DKT. 00240165

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

9. CHRISTOPHER ROGERS BOR DKT. 00242830

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

10. REHAM SAAD BOR DKT. 00214331

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to work.

11. KASHIF HAQUE BOR DKT. 00242669

Claimant appealed a 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 under the CARES Act, and liable for a non-fraud refund.

12. KATHERINE POLANCO MENDEZ BOR DKT. 00240985

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and ineligibility for Pandemic Unemployment Assistance.

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ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS DISMISSALS OF LATE APPEALS AND NON-JUSTICIABLE ISSUES TO THE BOARD OF REVIEW.

A-4 REOPENING REQUEST FOR RECONSIDERATION TO THE BOARD

1. MOSES NNADO BOR DKT. 00233024

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.

ACTION: BOARD VOTED TO REOPEN THE ABOVE CASE AND REVIEW THE MATTER. THIS CASE WILL GO ON A FUTURE AGENDA TO ADDRESS THE OUTCOME OF THE CASE.

A-5 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. KRISTOPHER KULICK BOR DKT. 00244815

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 an agency refund.

2. FREDERICK STEARN BOR DKT. 00244368

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. ESPERANZA ESPINAL BOR DKT. 00244581

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.

4. BHARRAT PERSAUD BOR DKT. 00244008

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

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5. MARCOS RODRIGUEZ BOR DKT. 00239195

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

6. CHARMAINE BLAIR BOR DKT. 00243753

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Extended Benefits (EB).

7. ESRA HESTER BOR DKT. 00243798

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to 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.

8. JOEL CHECO-AZCONA BOR DKT. 00239817

Claimant appealed denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons, and liability for refund.

9. PAUL FORSELL BOR DKT. 00244501

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

10. SABA SYED BOR DKT. 00244431

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

11. ALEXANDROS STRATIS BOR DKT. 00243793

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under reporting requirements.

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12. JOHN FITZPATRICK

BOR DKT. 00242444

Claimant appealed denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons, and liability for non-fraud refund.

13. HALIMA BEGUM

BOR DKT. 00225047

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

14. SHANTE DIGGS

BOR DKT. 00246083

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.

15. ARIELLA MCCALL

BOR DKT. 00244631

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.

16. JUDITH ANDERSON

BOR DKT. 00242767

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, an ineligibility for Pandemic Unemployment Assistance and a liability to a non-fraud refund.

17. SYLVIA SNELL

BOR DKT. 00299531

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

18. BRYON WRIGHT

BOR DKT. 00230139

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

19. RAVEN QUIÑONES

BOR DKT. 00245167

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.

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20. ANTHONY WOJCIK

BOR DKT. 00244506

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under employed full-time and availability for work and ineligibility for Pandemic Unemployment Assistance (PUA) benefits. The claimant also appealed the Appeal Tribunal's decision holding a liability to a non-fraud refund.

21. WILLIAM MATERA

BOR DKT. 00245390

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

22. GERI SILEO

BOR DKT. 00245178

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

23. RUBIN CLARK

BOR DKT. 00244421

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

24. LESLIE HUNTER

BOR DKT. 00238139

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 non-fraud refund.

25. KRISHNABEN RANA

BOR DKT. 00244717

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for refusing suitable work, ineligible for Pandemic Unemployment Assistance (PUA) benefits on the ground that the claimant's unemployment was not due to one of the COVID-19 related reasons identified under the CARES Act, and not liable for a non-fraud refund.

26. SHEA MCKEEN

BOR DKT. 00245168

Claimant appealed a 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 under the CARES Act, and liable for a non-fraud refund.

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27. CHRISTINA RADOSTI

BOR DKT. 00244485

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 under the CARES Act, and liable for a non-fraud refund. This is a companion case with docket number DKT00244486.

28. CHRISTINA RADOSTI

BOR DKT. 00244486

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 under the C.A.R.E.S. Act, and liable for a non-fraud refund.

29. ZAINATOU GOMGNIBOU

BOR DKT. 00233519

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

30. LUDOVICO ORIENTE

BOR DKT. 00242610

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons.

31. JESSICA MCCALLEY

BOR DKT. 00233308

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

32. ALECK SILVA

BOR DKT. 00243133

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 an agency refund.

33. ALECK SILVA

BOR DKT. 00243135

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

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work and a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons.

34. JANA E GIDDENS BOR DKT. 00243126

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, imposing ineligibility for Pandemic Unemployment Assistance and a liability to a non-fraud refund.

35. CHRISTINA OWENS BOR DKT. 00227858

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms and liable for a non-fraud refund.

36. LATOYA HOPPS BOR DKT. 00240151

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.

37. JACOB LEITMAN BOR DKT. 00243695

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

38. CASEY RECH BOR DKT. 00243538

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 a liability for an agency refund.

39. NURUL AFSAR BOR DKT. 00244941

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

40. RYAN HILL BOR DKT. 00243887

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

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41. NICOLE CANETE

BOR DKT. 00245024

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

42. EBONEY MOBLEY

BOR DKT. 00242019

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work.

43. RACHEL PHELAN

BOR DKT. 00243281

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and insufficient subsequent employment to remove such disqualification.

44. MELISSA BRADY

BOR DKT. 00236362

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 for a non-fraud refund. **(Board voted to table this case for further review).**

45. MERY JAQUEZ

BOR DKT. 00245363

Claimant appealed the 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) and a liable for a non-fraud refund.

46. MASSIMILIANO CARPINTERI

BOR DKT. 00244291

Claimant appealed a decision of the Appeal Tribunal dismissing the claimant's appeal, regarding his eligibility for Pandemic Unemployment Assistance (PUA) benefits and availability for work, as late without good cause through 10/24/20 and the claimant was liable for a non-fraud refund.

47. ALEX ESPINOZA

BOR DKT. 00243061

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. **(Board voted to remove this case from the affirmed category to the remand category because there is need for additional testimony from the claimant regarding**

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when he removed himself from the employer's software system that is used to obtain work).

48. DEYDANIA GIL ZORILLA BOR DKT. 00242597

Claimant appealed a decision of the Appeal Tribunal holding claimant ineligible for PUA. (Board voted to remove this case from the affirmed category to the dismissed category because the claimant's appeal to the Board of Review was late without good cause).

49. NANCY PRESS BOR DKT. 00244981

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

50. NANCY PRESS BOR DKT. 00244982

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

51. NANCY PRESS BOR DKT. 00244983

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

52. JAMES MCKINLEY BOR DKT. 00247752

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

ACTION: BOARD VOTED TO ACCEPT THE REMAINING 49 CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS.

A-6 AFFIRMED AND REMANDED DECISIONS TO THE BOARD OF REVIEW

1. JULIANE CALABRIA BOR DKT. 00244375

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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2. ANEESAH JOHNSON BOR DKT. 00237982

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

3. JENNA USTARROZ BOR DKT. 00244341

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 the claimant liable for a non-fraud refund.

4. CARL VITALE BOR DKT. 00242737

Claimant appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work, ineligible for benefits under availability for work, eligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was due to one of the COVID-19 related reasons and a liability to a non-fraud refund.

5. AMANDA GILLEY BOR DKT. 00299752

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.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMED AND REMANDED DECISIONS TO THE BOARD OF REVIEW.

A-7 REVERSALS OF APPEAL TRIBUNAL DECISIONS

1. DESHAWN JACKSON BOR DKT. 00245107

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

2. DAMION BARRETT BOR DKT. 00244220

Claimant appealed a decision of the Appeal Tribunal 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 CARES Act, and liable for a non-fraud refund.

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3. SADUAH CARTER BOR DKT. 00244428

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.

4. SOPHIA CALISE BOR DKT. 00243234

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant did not have a labor market attachment, and liable for a non-fraud refund. **(Board voted to table this case for further review to determine whether the claimant is eligible for Pandemic Unemployment Assistance (PUA) benefits in this state or another state).**

ACTION: BOARD VOTED TO ACCEPT THE REMAINING 3 CASES AS REVERSALS OF APPEAL TRIBUNAL DECISIONS.

A-8 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. PAUL PICCIONE BOR DKT. 00243529

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

2. JOSE MELENDEZ BOR DKT. 00245278

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to work.

3. RAJESH GANDHI BOR DKT. 00244683

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

4. DANIEL CRAFT BOR DKT. 00245101

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 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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5. STEPHANIE GALAN

BOR DKT. 00221761

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 remove this case from the modification category to the affirmed category, because the record supports a voluntary leaving disqualification).**

6. SHAKELA YEASMIN

BOR DKT. 00233218

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 REMAINING 5 CASES AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS.

A-9 AFFIRMED AND MODIFIED DECISIONS TO THE BOARD OF REVIEW

1. KRISTIN STEFANOWICZ

BOR DKT. 00214399

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to work.

ACTION: BOARD VOTED TO REMOVE THIS CASE FROM THE AFFIRMED AND MODIFIED CATEGORY TO THE REMAND CATEGORY BECAUSE THE RECORD IS INSUFFICIENT TO SUPPORT THE OUTCOME OF THE CASE.

A-10 MODIFIED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. AMANDA BEALS

BOR DKT. 00244455

Claimant appealed a 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 under the C.A.R.E.S. Act, and liable for a non-fraud refund.

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2. MENA SOLIMAN

BOR DKT. 00244219

Claimant appealed a decision of the Appeal Tribunal holding the claimant filed a late appeal on the matter of refund without good cause, was ineligible for Pandemic Unemployment Assistance (PUA) benefits as his unemployment was not due to one of the COVID-19 related reasons identified under the C.A.R.E.S. Act.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS MODIFIED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL.

A-11 REQUEST FOR RECONSIDERATION TO REMAND FROM SUPERIOR COURT

1. MICHELLE LOVE

BOR DKT. 00155089

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

ACTION: BOARD VOTED TO REOPEN THIS CASE AND REMAND THE MATTER TO THE APPEAL TRIBUNAL AS OUTLINED IN THE COURT REMAND.

A-12 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. DARREN O'CONNOR

BOR DKT. 00228407

Claimant appealed the 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 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.

2. GREGORIA ROSARIO

BOR DKT. 00242134

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

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3. GREGORIA ROSARIO BOR DKT. 00242136

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

4. GULSUM TEKEOGLU BOR DKT. 00244800

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

5. ALBERTO GONZALEZ BOR DKT. 00242438

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

6. MEILYN FLORES BOR DKT. 00240901

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 for non-fraud refund.

7. NICOLE BAYNARD BOR DKT. 00244385

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

8. CAMERON FLAX BOR DKT. 00244661

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.

9. ANDREW JOHNSON BOR DKT. 00245638

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.

10. ALINA MARTINEZ BOR DKT. 00238139

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the

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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.

11. BRIAN DOHERTY BOR DKT. 00233011

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for refusing suitable work.

12. IBRIAN NOVAL BOR DKT. 00227963

Employer appealed a decision of the Appeal Tribunal holding the claimant not ineligible for benefits under availability, ability, and actively seeking work.

13. SUZANNE GHONEEM BOR DKT. 00243037

Claimant appealed 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 for a non-fraud refund.

14. NAJIYAH PALMER BOR DKT. 00244429

Employer #2 appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work, not ineligible for Pandemic Unemployment Assistance (PUA) benefits, and not liable for a non-fraud refund.

15. TODD RODGERS BOR DKT. 00245040

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under the ability to work and availability for work.

16. SABRINA CAPLE BOR DKT. 00246347

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

17. SARA CILENTE BOR DKT. 00236038

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

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18. TERI SUNGBEH BOR DKT. 00220558

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

19. DENNIS MCMICKLE BOR DKT. 00241527

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

20. FARHANA HOSSAIN BOR DKT. 00242955

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

21. VINCENT MATTEO BOR DKT. 00243592

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

22. FABIAN MARULANDA BOR DKT. 00240743

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

23. ROCHEL WEISS BOR DKT. 00245001

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 denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons.

24. EMILY PLATT BOR DKT. 00244120

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.

25. SELVAGGIA CLARK BOR DKT. 00243319

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund as the claim for benefits filed as of April 26, 2020, was cancelled.

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26. MICHAEL CERNIGULIA

BOR DKT. 00226054

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work with employer #1 voluntarily without good cause attributable to the work and a liability to a non-fraud refund.

27. TEKITYAH ROBINSON

BOR DKT. 00243403

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.

28. JAMES BOZARTH

BOR DKT. 00244733

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

29. JUSTIN GOLDSBERRY

BOR DKT. 00231354

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

30. MARK SILVERMAN

BOR DKT. 00245283

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under availability for work, ineligible for Pandemic Unemployment Assistance (PUA) benefits as her 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. **(Board voted to remove this case from the remand category to the affirmed and remand category).**

31. RENEE DICARLANTONIO

BOR DKT. 00236922

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

32. CARLA FRESCO

BOR DKT. 00231467

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

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not due to one of the COVID-19 related reasons and a liability for a non-fraud refund.

33. MARIA PECORARO

BOR DKT. 00241255

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.

34. OSCAR NIEVES

BOR DKT. 00234098

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

35. SOMTOBE ANAMDI

BOR DKT. 00244252

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

ACTION: BOARD VOTED TO ACCEPT THE REMAINING 34 CASES AS REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY.

A-13 REVERSE AND REMANDED APPEALS TO THE APPEAL TRIBUNAL

1. EMILY FRIAS-FELIZ

BOR DKT. 00244852

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

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

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SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 ARELIZ PAGEN BOR DKT. 00239424

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. (**Appellate Specialist Alverio**)

ACTION: BOARD VOTED TO REVERSE THE DECISION OF THE APPEAL TRIBUNAL AND HOLD THE CLAIMANT ELIGIBLE FOR BENEFITS UNDER THE ADDENDUM TO N.J.S.A.43:21-5(a) WITH RESPECT TO SWITCHING JOBS.

B-2 FIA TOSCARELLI BOR DKT. 00245171

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. (**Appellate Specialist Hart**)

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

B-3 BRIAN QUILTY BOR DKT. 00244338

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, 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. (**Appellate Specialist Alverio**)

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

B-4 LISA MURPHY BOR DKT. 00245129

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and held the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's

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unemployment was not due to one of the COVID-19 related reasons identified under the CARES Act. (**Appellate Specialist Zola**)

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

B-5 ASHLEY CIESLIK

BOR DKT. 00245792

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily and no liability for non-fraud refund. (**Appellate Specialist Alverio**)

ACTION: BOARD VOTED TO REVERSE THE DECISION OF THE APPEAL TRIBUNAL AND HOLD THE CLAIMANT DISQUALIFIED FOR BENEFITS IN ACCORDANCE WITH N.J.S.A.43:21-5(a) BECAUSE THERE WAS INSUFFICIENT UNEQUIVOCAL MEDICAL DOCUMENTATION TO ESTABLISH THAT THE WORK CAUSED OR AGGRAVATED THE CLAIMANT'S MEDICAL CONDITION.

B-6 BRIAN OLIVEIRA

BOR DKT. 00241000

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work. (**Appellate Specialist Matos**)

ACTION: BOARD VOTED TO DISMISS THE CLAIMANT'S APPEAL TO THE BOARD OF REVIEW AS A LATE APPEAL AND ADD AN ADDITIONAL STATEMENT ADDRESSING THE CLAIMANT'S CONTENTIONS IN RELATION TO ANOTHER DOCKET.

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SUPPLEMENTAL CASE:

1. GABRIELLA PAVON

BOR DKT. 00231503

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 pension reduction.

ACTION: BOARD VOTED TO REMAND THIS CASE FOR ADDITIONAL TESTIMONY FROM THE CLAIMANT REGARDING HER AVAILABILITY, ABILITY AND ACTIVE SEARCH FOR WORK, REGARDING HER PENSION AND WHETHER SHE IS ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS.