



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lieutenant Governor

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

ROBERT ASARO-ANGELO
Commissioner

BOARD OF REVIEW

**MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
NOVEMBER 25, 2020**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

SHAHRAZAD A. LEDAN, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING NOVEMBER 25, 2020

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A regular meeting of the Board of Review was held on Wednesday, November 25, 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 – NOVEMBER 25, 2020 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the November 18, 2020 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE NOVEMBER 18, 2020 MEETING WITH THE EXCEPTION OF DKT. NO.: 212009. THIS CASE WILL BE PUT ON A FUTURE AGENDA.

OLD BUSINESS:

1. ADRIENNE SCERBO BOR DKT. 00213792

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal through May 2, 2020 as late without good cause and holding the claimant unavailable for work and ineligible for benefits. **(This case was tabled in the meeting of September 23, 2020 pending further review.)**

ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION AND HOLD THE CLAIM INVALID AND REVERSE THE TIMELINESS AS THE APPEAL WAS TIMELY.

2. MALEEK BAGBY BOR DKT. 00213950

Claimant appealed a decision of the Appeal Tribunal holding his claim invalid on the ground that the claimant was not unemployed. **(This case was tabled in the meeting of September 30, 2020 to confirm with the Appellate Specialist if there was enough information to make a determination regarding PUA or if it should be remanded.)**

ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL TO ADDRESS NEW EVIDENCE THAT WAS MAILED TO THE BOARD OF REVIEW.

3. JEFF DONKIN BOR DKT. 00190840

Claimant appealed the Appeal Tribunal decision holding the unemployment claimant invalid on the ground that the claimant did not have sufficient base weeks or wages in employment to establish a valid claim. **(This case was tabled in the meeting of September 30, 2020 pending further review.)**

BOARD OF REVIEW MINUTES – NOVEMBER 25, 2020 MEETING

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

SECTION A – HEARING MATTERS

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

1. GIAVANNA RADINO BOR DKT. 00211339

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

2. JAMES DALTON BOR DKT. 00206931

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

3. EDGARDO MONTANO BOR DKT. 00213938

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

4. TEDIAR DESANTIS BOR DKT. 00191868

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 ABOVE CASES AS
DISMISSALS OF LATE APPEALS WITHOUT GOOD
CAUSE TO THE BOARD OF REVIEW.**

A-2 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. RAQUEL VOLTAGGIO BOR DKT. 00205678

Claimant appealed 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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2. JORDANIS EKIMOGLU BOR DKT. 00209551

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

3. TILDRED DAVIDSON BOR DKT. 00209963

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

4. NATIRA FLUELLEN BOR DKT. 00213660

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

5. JACQUELINE ALFONSO BOR DKT. 00215092

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 liable for a non-fraud refund.

6. VERONA BURGESS BOR DKT. 00215418

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.

7. CRISTIN TOLEDO BOR DKT. 00218870

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

8. QUIANA BROWN BOR DKT. 00216025

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 matter of the claimant's availability for work, academic.

9. DENISE BATTAGLIO BOR DKT. 00214799

Claimant appealed 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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10. STACY BARYCHKO BOR DKT. 00217456

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

11. EARL FRITCHEY BOR DKT. 00216390

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

12. NAJERA REINER BOR DKT. 00212603

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

13. BARBARA NKANSAH BOR DKT. 00217416

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 liable for a non-fraud refund.

14. NATHAN STREETS BOR DKT. 00209545

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

15. AMANDA WALSH BOR DKT. 00218464

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.

16. LINDA WONG BOR DKT. 00219044

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

17. ROSEANN MALCOLM BOR DKT. 00213786

Claimant appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work and ineligible for benefits under availability for work.

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18. DANA ZNYSKI **BOR DKT. 00216399**

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

19. DONNA ESSICK **BOR DKT. 00215849**

Claimant appealed decision of the Appeal Tribunal holding an ineligibility as the claimant was employed full-time and holding the claimant liable for non-fraud refund.

20. DONNA ESSICK **BOR DKT. 00222241**

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

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

A-3 AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. KEALY FLAHERTY **BOR DKT. 00215645**

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 ABOVE CASE AS AN AFFIRMED AND REMANDED APPEAL TO THE APPEAL TRIBUNAL.

A-4 REVERSALS OF APPEAL TRIBUNAL DECISIONS

1. GRACE BEALOR **BOR DKT. 00212272**

Claimant appealed a decision of the Appeal Tribunal holding the claimant unavailable for work and ineligible for benefits.

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2. GRACE KING BOR DKT. 00216560

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 liable for a non-fraud refund.

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

A-5 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. TOSHA MATTHEWS BOR DKT. 00208862

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

ACTION: BOARD VOTED TO REMOVE AND DISCUSS THIS CASE SEPARATELY. THIS CASE HAS BEEN REMOVED FROM THE MODIFICATION OF APPEAL TRIBUNAL DECISIONS CATEGORY AND MOVED TO THE AFFIRMATION OF APPEAL TRIBUNAL DECISIONS CATEGORY.

A-6 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. RUTH FLINT BOR DKT. 00212116

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

2. AHAMED ELKHALIFA BOR DKT. 00215427

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

3. DANIEL CONDORELLI BOR DKT. 00214991

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

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4. ALLISON LIBOWSKY BOR DKT. 00218379

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

5. STEPHANIE MENDEZ BOR DKT. 00218235

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

6. JASMINE DURSUN BOR DKT. 00214805

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

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