MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
AUGUST 12, 2020

JOSEPH SIEBER, CHAIRMAN

NANCY HUNT, VICE-CHAIRPERSON

WILLIAM SCAGLIONE, MEMBER

SHARAHZAD A. LEDAN, ACTING EXECUTIVE SECRETARY
A regular meeting of the Board of Review was held on Wednesday, August 12, 2020 at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Joseph Sieber, Chairman, Nancy Hunt, Vice-Chairperson, William Scaglione, Member, Sharahzad A. Ledan, Acting Executive Secretary, Keith Austin, Director.

In accordance with L1975, c.231, the Chairman 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.
BOR DKT. 00210349

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

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

A-2  VACATED APPEALS TO THE BOARD OF REVIEW

1. HERMERA BLANKS  BOR DKT. 00208732

Claimant appealed a decision of the Appeal Tribunal holding claimant ineligible for not reporting in accordance with the regulations of the Division.

2. BOBBETTE WOODS  BOR DKT. 00211284

There is no appeal letter for this docket. The letter of appeal that was in the file for this docket belonged to DKT00211824. As this appeal was filed in error, suggest vacate appeal.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS VACATED APPEALS TO THE BOARD OF REVIEW.
A-3 DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW

1. GEORGE BRIDGES       BOR DKT. 00210743
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

2. SUYEB AHMED       BOR DKT. 00211357
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work with employer #1 voluntarily and liability for a non-fraud refund.

3. KARIMAN ABDERLARSOUI       BOR DKT. 00193585
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

4. DESMOND DOZIER       BOR DKT. 00006359
Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to non-participation in the hearing.

5. TINA CARTER       BOR DKT. 00204860
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

6. CHRISTINA SYLVIA       BOR DKT. 00209910
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

7. STEPHANIE CARO       BOR DKT. 00208154
Claimant appealed a decision of the Appeal Tribunal holding a liability for non-fraud refund.
8. TAMEEKIA HARDWICK                  BOR DKT. 00210845

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

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

A-4 **AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS**

1. ALFREDA BANGURA                  BOR DKT. 00199915

Claimant appealed a decision of the Appeal Tribunal holding the appeal was filed timely and holding a disqualification for discharge for misconduct connected to the work.

2. ENRIQUE GUZMAN                   BOR DKT. 00211514

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

3. YENIS MERCEDES                   BOR DKT. 00211494

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

4. MAURA KOHLMANN                   BOR DKT. 00210619

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

5. CHRISTINE QUILTY                 BOR DKT. 00204573

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

6. LEROY GERMANY, JR.               BOR DKT. 00211089

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for gross misconduct or misconduct connected with the work.
7. CELESTE VENTURA  
BOR DKT. 00208065

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

8. KENNETH SLATTERY  
BOR DKT. 00206199

Claimant appealed a decision of the Appeal Tribunal holding no disqualification for misconduct connected with the work, and a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

9. FELICIA FIORE  
BOR DKT. 00211344

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

10. KELLY TORRES  
BOR DKT. 00211614

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

11. ANTHONY GARCIA  
BOR DKT. 00211404

Claimant appealed decision of the Appeal Tribunal holding no disqualification for leaving the work voluntarily and holding the claimant ineligible for benefits on the ground that the claimant is not unemployed.

12. STEPHEN EFKOWITZ  
BOR DKT. 00211718

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

13. PATRICIA CHARLES  
BOR DKT. 00187183

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

14. KEITH PAKELA  
BOR DKT. 00211701

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for leaving the work voluntarily without good cause attributable to such work.
15. SCOTT VAN BAULEN  
BOR DKT. 00212206

Claimant appealed a decision of the Appeal Tribunal which held a reduction in his weekly benefit rate due to the receipt of a pension.

16. KEVIN RAMIREZ  
BOR DKT. 00205965

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and holding the claimant ineligible for benefits under availability for work.

17. EARL WRIGHT  
BOR DKT. 00211877

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. ADRIANA ANDERSON  
BOR DKT. 00211739

Claimant appealed decision of the Appeal Tribunal holding a disqualification for leaving the work voluntarily without good cause attributable to such work.  
(Board voted to remove this case from the affirmation list and Remand for additional testimony regarding the hours of work with employer #2.)

19. IRIS SOTO  
BOR DKT. 00211040

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for discharge for misconduct connected to the work.  
(Board voted to table this case to a future agenda to send correspondence to ask why the claimant failed to register for the Appeal Tribunal hearing).

20. LOUIS GIORDANO  
BOR DKT. 00211740

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

21. LEMEYRI CASTRO  
BOR DKT. 00211667

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

22. CRISTY POPA  
BOR DKT. 00211850

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for leaving the work voluntarily without good cause attributable to such work.
23. JESSICA REULBACH
BOR DKT. 00211230

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

24. YOLANDA REGISTER
BOR DKT. 00202356

Claimant appealed the decision of the Appeal Tribunal denying request to reopen.

25. PATRICIA WOODS
BOR DKT. 00211858

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

26. LORRAINE MICEWICZ
BOR DKT. 00211408

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

27. MALCOLM SALLY
BOR DKT. 00211574

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

28. THOMAS BENNETT
BOR DKT. 00211243

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

29. YACELIN SARIT
BOR DKT. 00209359

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

30. JOAN MILLER
BOR DKT. 00211371

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.
31. DAISY DIAZ  
BOR DKT. 00211990  
Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

32. AMY PERSICO  
BOR DKT. 00208646  
Claimant appealed a decision of the Appeal Tribunal holding the appeal filed timely and holding a disqualification for leaving the work voluntarily without good cause attributable to such work and holding a liability for a non-fraud refund.

33. CRYSTAL BILLINGSLEY  
BOR DKT. 00211412  
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 31 CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS.

**EXECUTIVE SESSION:**

1:40 THE BOARD VOTED TO GO INTO EXECUTIVE SESSION FOR LEGAL ADVICE. FRED BURG CASE.

1:43 BOARD VOTED TO LEAVE EXECUTIVE SESSION AND RESUME THE OPEN PUBLIC MEETING.

A-5 REQUESTS FOR RECONSIDERATION FROM THE SUPERIOR COURT

1. FRED BURG  
BOR DKT. 00184393  
Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms.  *(The DAG’s office requested we add this case to this agenda to discuss a potential remand to allow for further development of the facts in the record.)*

**ACTION:** BOARD VOTED TO ALLOW THE ATTORNEY GENERALS OFFICE TO MAKE A MOTION FOR A REMAND.
A-6 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. ELISA MENDEZ

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

2. SHAWNEEQUA DOWDELL

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

3. MARIE ALVARADO

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

4. LILLI FRIEDMAN

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

5. MAYLENI CASTRO

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

(Board voted to Remand to the Appeal Tribunal for additional testimony regarding the new information that was submitted by the employer).

6. SHANTAE SMITH

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

7. JEFFREY MORRIS

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.
8. LISA GILSON  
BOR DKT. 00211301

Employer appealed a decision of the Appeal Tribunal holding no disqualification for leaving the work voluntarily, no ineligibility for availability for work and no liability for non-fraud refund.

9. STEPHANIE RISLEY  
BOR DKT. 00211117

Employer appealed a decision of the Appeal Tribunal holding the appeal of the Deputy’s determination timely and holding no disqualification for discharge for misconduct connected to the work.

10. GIOVANNI FEBRES-COLLAZO  
BOR DKT. 00206792

Claimant appealed a decision of the Appeal Tribunal holding no disqualification for discharge for misconduct connected to the work and holding a disqualification for leaving the work voluntarily without good cause attributable to such work.

11. TRICA BEAGIN  
BOR DKT. 00199085

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

12. DANISIA VALADEVZ  
BOR DKT. 00211364

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

13. MATTHEW GENOVESE  
BOR DKT. 00211198

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

**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  DAKOTA THIBODEAU  BOR DKT. 00211401

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

ACTION:  BOARD VOTED TO TABLE THIS CASE TO THE AUGUST 19, 2020 AGENDA FOR A MORE COMPLETE REVIEW ON THIS CASE ESPECIALLY THE CLAIMANT'S CONTENTION THAT HE DID NOT HAVE A FAIR HEARING.

B-2  BRIAN WALSH  BOR DKT. 00211316

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

ACTION:  BOARD VOTED NOT TO REMAND THE CASE, BUT TO MODIFY THE APPEAL TRIBUNAL DECISION TO AN INVALID CLAIM.

B-3  YOMAYRA MORA  BOR DKT. 00211406

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause. (Appellate Specialist Matos)

ACTION:  BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL AND HOLD THE APPEAL LATE WITHOUT GOOD CAUSE.

B-4  EKATERINA CHABALKO  BOR DKT. 00211007

The claimant appealed a decision of the Appeal Tribunal holding a disqualification for discharge for misconduct connected to the work. (Appellate Specialist Alverio)
ACTION: BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION AND HOLD THE CLAIMANT NOT DISQUALIFIED FOR MISCONDUCT CONNECTED TO THE WORK.

B-5  LAKITA BOONE  BOR DKT. 00208049

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

ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION HOLDING A VOLUNTARY QUIT DISQUALIFCATON

B-6  TAYLOR CURCIO  BOR DKT. 00206147

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

ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION HOLDING A VOLUNTARY QUIT DISQUALIFCATON.

B-7  HEATHER HENDRICKS  BOR DKT. 00174860

Claimant appealed a decision of the Appeal Tribunal holding that subsequent weeks and wages were sufficient to toll a prior disqualification as of September 22, 2019.  (Appellate Specialist Hart)

ACTION: BOARD VOTED TO REMAND TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY FROM THE CLAIMANT REGARDING HER EMPLOYMENT AND TO GET THE CLAIMANT TO SUBMIT HER 2018 TAX RETURN.
 Claimant appealed the decision of the Appeal Tribunal holding a partial disqualification for leaving work voluntarily without good cause attributable to such work. (Appellate Specialist Hart)

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