MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
NOVEMBER 6, 2019

JOSEPH P. SIEBER, CHAIRPERSON
NANCY W. HUNT, VICE-CHAIRPERSON
A regular meeting of the Board of Review was held on Wednesday, November 6, 2019 at 10:00 a.m., in Trenton, New Jersey

PRESENT: Joseph Sieber, Chairman, Nancy Hunt, Vice-Chair and Sharahzad A. Ledan, Acting Executive Secretary.

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.
SECTION A – HEARING MATTERS

BOARD MINUTES:

Submitted for adoption are the minutes of the October 30, 2019 Board meeting.

ACTION: THE BOARD VOTED TO APPROVE THE MINUTES OF THE OCTOBER 30, 2019 BOARD MEETING.

OLD BUSINESS:

1. LISA GESNER

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to work and liability to a non-fraud refund. (This case was tabled in the meeting of October 30, 2019).


2. TRACI WILLIS

Employer appealed a decision of the Appeal Tribunal holding no disqualification for gross misconduct and misconduct connected with the work. (This case was tabled in the meeting of October 30, 2019).

ACTION: THE BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY
3. KAYLEE COLLINS  
BOR DKT. 00187272

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily. *(This case was on the October 9, 2019 Agenda and is being put back as Old Business for reconsideration).*

**ACTION:** BOARD VOTED TO TABLE THIS CASE UNTIL THE MEETING OF NOVEMBER 13, 2019.

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

1. SHAHEED PANNELL  
BOR DKT. 00187609

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

2. MARSHA CHUN  
BOR DKT. 00189310

Claimant appealed the decision of the Appeal Tribunal holding a disqualification as the claimant was attending a training program that was not approved by the Division.

3. JACQUELINE FORCE  
BOR DKT. 00187442

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

4. JUAN ARROYO  
BOR DKT. 00191082

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

5. DARIUS HARRIS  
BOR DKT. 00190709

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

**ACTION:** THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW.
A-2 Denial of Reopening Requests to the Board of Review

1. LUIS BARROS BOR DKT. 00136298

Claimant requests a reconsideration of the Board of Review’s decision affirming the Appeal Tribunal decision which held the claimant disqualified for severe misconduct.

ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASE AS A DENIAL OF REOPENING REQUEST TO THE BOARD OF REVIEW.

A-3 Affirmations of Appeal Tribunal Decisions

1. PANTIELIS GASPARINATOS BOR DKT. 00190386

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

2. ANGELA ALFANO BOR DKT. 00162480

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

3. JACK CORDERO, SR. BOR DKT. 00183677

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

4. LISA CRANE BOR DKT. 00190352

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

5. KRISTIE O’BRIEN BOR DKT. 00191925

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

6. BRENDA RAMOS BOR DKT. 00186966

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily and misconduct connected with the work.
7. BREANA SHINE BOR DKT. 00182628

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

8. TASHEIKA OSBOURNE BOR DKT. 00190114

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

9. SAMARI RODRIGUEZ BOR DKT. 00189987

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training (ABT).

10. KATHERINE GRAEBER BOR DKT. 00190511

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

11. DANIEL PRATT BOR DKT. 00191398

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

12. MICHAEL ARMOR BOR DKT. 00190785

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training (ABT).

13. SONYA DRAKEFORD BOR DKT. 00188917

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

14. MICHAEL BARTA BOR DKT. 00191253

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid due to failure to requalify.

15. ANTHONY ASSIA BOR DKT. 00183729

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for misconduct connected with the work.
16. MACKY NGUYEN  BOR DKT. 00186936

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

17. BERNICE WARNER  BOR DKT. 00191289

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

18. DENNIS DURLING  BOR DKT. 00191274

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

19. PHYLISS CLYNES  BOR DKT. 00192570

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

20. TYRA HENDERSON  BOR DKT. 00193165

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

21. CARLTON MAYSE  BOR DKT. 00190278

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

22. BRUCE CRABBE  BOR DKT. 00192342

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

23. TAMIA BOWE  BOR DKT. 00191204

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

24. ARIANA PADILLA  BOR DKT. 00191111

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for voluntarily leaving.
25. TINA RUSSO  
BOR DKT. 00192143  
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for voluntarily leaving.

26. SHANNON PEARSON  
BOR DKT. 00191382  
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for voluntarily leaving.

27. OLAYORI DICKSON  
BOR DKT. 00190247  
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for voluntarily leaving.

28. EDGAR CENTENO  
BOR DKT.00186709  
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for voluntarily leaving work without good cause attributable to such work.

29. AYESHA KHANAM  
BOR DKT.00190555  
Claimant appealed decision of the Appeal Tribunal holding the claim invalid on the ground that there were insufficient weeks and wages to establish a valid claim.

30. JESSICA LONGO  
BOR DKT. 00187330  
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

31. DAWN HOFFMAN  
BOR DKT.00176972  
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

32. EMPRESS ALLAH  
BOR DKT. 00190409  
Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to non-registration for the hearing.

33. DONNA DEEHAN  
BOR DKT. 00192092  
Employer appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.
34. PAUL PETTO
BOR DKT. 00189213
Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to non-registration for the hearing.

35. GAYE HUDYMA
BOR DKT. 00183621
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

36. JOHN PAYOR
BOR DKT. 00183433
Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid.

37. MARITZA BRUMFIELD
BOR DKT. 00191858
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and holding the claimant’s ineligibility for benefits under availability for work, academic.

38. KIBBY TYLER
BOR DKT. 00183381
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

39. JOSEPH POLISENO
BOR DKT. 00189035
Employer appealed the decision of the Appeal Tribunal denying the employer’s request for a relief of charges.

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

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

1. DOAA AMEEN
BOR DKT. 00179879
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.
2. CLARISSA WILLIAMS  
BOR DKT. 00186807

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

3. ROBERT DECECCO  
BOR DKT. 00189951

Claimant appealed decision of the Appeal Tribunal dismissing the appeal of the Deputy and The Director’s determination on the ground that it was filed late without good cause.

4. ANGELICA WILLIAMS  
BOR DKT. 00186772

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

5. ROBERT LUTY  
BOR DKT. 00191032

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

6. JENETTE RODRIGUEZ  
BOR DKT. 00177748

Employer appealed a decision of the Appeal Tribunal holding no disqualification or leaving work voluntarily and no disqualification for refusal of suitable work.

7. SHADE LLOYD  
BOR DKT. 00193122

Employer appealed decision of the Appeal Tribunal holding no disqualification for voluntarily leaving the job, holding no disqualification for refusing suitable work and holding the claimant eligible for benefits on the ground that the claimant was able to work.

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

**A-5 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS**

1. JANASYA REEVES  
BOR DKT. 00191246

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and liable for a non-fraud refund.
ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASE AS A MODIFICATION OF AN APPEAL TRIBUNAL DECISION.

A-6 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. SHAHEED PANNELL  BOR DKT. 00191893

Claimant appealed a decision of the Appeal Tribunal holding no disqualification of benefits for refusing suitable work, and holding the claimant ineligible for benefits under availability for work.

2. KIMBERLY WILLINGHAM  BOR DKT. 00191988

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

3. VERONICA ORTIZ  BOR DKT. 00191077

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

4. JOHN YULICO  BOR DKT. 00191870

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

5. BARBARA COOK  BOR DKT. 00191440

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

6. LESLIE CHAUDHARY  BOR DKT. 00191632

Claimant appealed a decision of the Appeal Tribunal withdrawing the claimants appeal.

7. ATIYA COOK-CHANG  BOR DKT. 00193139

Employer appealed a decision of the Appeal Tribunal holding disqualification of benefits for misconduct connected with the work.
8. CHANA GOLDBERG  BOR DKT. 00190572

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

9. SALVATORE RACOBALDO  BOR DKT. 00190707

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

10. BRICE ALEMANY  BOR DKT. 00185190

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

11. CARLA CARRILLO  BOR DKT. 00189322

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 holding the claimant liable for a non-fraud refund.

12. ELSIE BORIA  BOR DKT. 00186416

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

**ACTION:** THE 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 DEBRA RIVEZZI  BOR DKT. 00191212

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

**ACTION:** THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION HOLDING THE CLAIMANT INELIGIBLE FOR BENEFITS BASED ON THE CLAIMANT’S INABILITY TO WORK.
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

**ACTION:** THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION HOLDING THE CLAIMANT DISQUALIFIED FOR BENEFITS FOR LEAVING WORK VOLUNTARILY WITHOUT GOOD CAUSE ATTRIBUTABLE TO THE WORK.