MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
NOVEMBER 13, 2019

JOSEPH P. SIEBER, CHAIRPERSON

NANCY W. HUNT, VICE-CHAIRPERSON
A regular meeting of the Board of Review was held on Wednesday, November 13, 2019 at 10:00 a.m., in Trenton, New Jersey

PRESENT: Joseph Sieber, Chairman, Nancy Hunt, Vice-Chair and William Scaglione, 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 November 6, 2019 Board meeting.


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

1. BRIANNA MARTINEZ BOR DKT. 00190515
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

2. ERIC SCHNELL BOR DKT. 00190374
   Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant did not have requalifying wages.

3. ANDREA GRAZIOSI BOR DKT. 00191317
   Claimant appealed a decision of the Appeal Tribunal holding the claimant not unemployed.

4. NICOLE BENNETT DICKEY BOR DKT. 00190410
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification for leaving the work voluntarily without good cause attributable to such work.

5. CHRISTINA BOYD BOR DKT. 00190883
   Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.

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. **KEISHA D. RAY**  
BOR DKT. 00190882  
Claimant requests a reconsideration of the Board of Review’s decision affirming the Appeal Tribunal decision which held a disqualification of benefits for leaving work voluntarily.

2. **ALYSSA DORAN**  
BOR DKT. 00181873  
Claimant requests a reconsideration of the Board of Review’s decision affirming the Appeal Tribunal decision which held a disqualification for benefits for leaving work voluntarily and dismissing the claimant’s ability to work as academic.

3. **GLORIA BATISTA MORA**  
BOR DKT. 00182936  
Claimant requests a reconsideration of the Board of Review decision affirming the Appeal Tribunal decision which holding the claimant ineligible for Additional Benefits During Training.  (This case was added as a supplemental for the Agenda of November 13, 2019).

**ACTION:**  THE 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. **ROBERT BOTTI**  
BOR DKT. 00191258  
Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

2. **VERONICA PERALTA**  
BOR DKT. 00189049  
Employer is appealing the decision of the Appeal Tribunal holding no disqualification for voluntarily leaving the work and no disqualification for discharge from the work.

3. **ANDREW KENNETT**  
BOR DKT. 00187301  
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
4. DAVID SAPP
   BOR DKT. 00191200
   Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

5. AUSTIN DEPOL
   BOR DKT. 00175180
   Claimant appealed a decision of the Appeal Tribunal the unemployment claim invalid.

6. FRANCIS MARINO
   BOR DKT. 00191643
   Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for misconduct connected with the work.

7. NICHOLAS GREEN
   BOR DKT. 00191774
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

8. JADA FITZGERALD
   BOR DKT. 00166082
   Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and liability to a non-fraud refund.

9. MARGARET VACCHIANO
   BOR DKT. 00180534
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification for leaving the work voluntarily without good cause attributable to such work and holding no disqualification for discharge from the employment.

10. JOSEITO MATOS
    BOR DKT. 00191427
    Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work.

11. JESSICA ANGUEIRO-RIVERA
    BOR DKT. 00192448
    Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
12. SHANNA ARABIAN BOR DKT.00190358

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

13. DONNA MONTONE BOR DKT. 00191627

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

14. FREDY RAMOS BOR DKT.00187654

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

15. MICHELE KOPITSKIE BOR DKT. 00190126

Employer appealed decision of the Appeal tribunal denying the request to reopen the matter.

16. MARGARET WALKER BOR DKT. 00191912

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

17. MONSURAT MUSTAPHA BOR DKT. 00190965

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

18. VANESSA TAIPE BOR DKT. 00192282

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

19. MAYA HOLMES BOR DKT. 00192272

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

20. RIONDO RUSSELL BOR DKT. 00190578

Employer appealed a decision of the Appeal Tribunal holding no disqualification as the discharge was not for misconduct connected with the work.
21. STEPHON MITCHELL  
BOR DKT. 00190802  
Claimant appealed the decision of the Appeal Tribunal holding a disqualification for voluntarily leaving the work without good cause attributable to such work.

22. STEVEN PAGLIERANI  
BOR DKT. 00190922  
Claimant appealed decision of the Appeal Tribunal holding a disqualification for refusing an offer of suitable work without good cause.

23. DANIEL SALAMA  
BOR DKT. 00187120  
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

24. JOSE CRUZ  
BOR DKT. 00192132  
Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under reporting requirements.

25. JOSE HUERFANO  
BOR DKT. 00114046  
Claimant appealed the appeal Tribunal decision holding the unemployment claim invalid due to lack of requalifying wages.

26. GABRIEL ARIAS OCAMPO  
BOR DKT. 00188700  
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for refusing suitable work.

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

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

1. MUSLIMAH MCLENDON  
BOR DKT. 00191026  
Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for voluntarily leaving work.
2. DONNA HARVEY BOR DKT. 00187299

Claimant appealed decision of the Appeal Tribunal holding a period of
ineligibility on the ground that the claimant had reasonable assurance of
reemployment with an educational institution and holding the claimant
disqualified for benefits on the ground that she left work voluntarily without good
cause attributable to such work.

3. JACK ZOLTEK BOR DKT. 00191429

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

4. BRITTNEY DREW BOR DKT. 00190609

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

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

A-6 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. CAPRI NORTHERN BOR DKT. 00192729

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

2. GARFIELD JONES BOR DKT. 00190797

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

ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASES
AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS.
A-7  RECONS TO THE APPEAL TRIBUNAL OR DEPUTY

1. EVERTON JOHNSON  
   BOR DKT. 00191573
   Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for misconduct connected with the work.

2. MICHAEL ARRIETA  
   BOR DKT. 00189457
   Claimant appealed a decision of the Appeal Tribunal dismissing the appeal of the Deputy’s determination on the ground that the appeal was filed late without good cause.

3. MARIA RESTITUYO HENRIQUEZ  
   BOR DKT. 00192306
   Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to work.

4. DANIEL VILLONE  
   BOR DKT. 00191909
   Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for the misconduct connected to the work and holding the claimant ineligible for benefits under ability to work.

5. CHRISTIAN YANNAZZONE  
   BOR DKT. 00182392
   Employer appealed a decision of the Appeal Tribunal holding a disqualification as the claimant did not leave work voluntarily without good cause attributable to such work.

6. ROY BREDT  
   BOR DKT. 00191299
   Employer appealed the Appeal Tribunal decision holding that the claimant was not an independent contractor and holding the unemployment claim valid.

7. TAMMANIKA MYERS  
   BOR DKT. 00192242
   Claimant appealed a decision of the Appeal tribunal holding a disqualification of benefits for misconduct connected with the work.

8. KAYLEE COLLINS  
   BOR DKT. 00187272
   Employer appealed the decision of the Appeal Tribunal holding no disqualification for leaving work voluntarily.  
   (This case was added as a supplemental to the Agenda of November 13, 2019).
ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY.

SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 JANNA SMITH BOR DKT. 00191380

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment with an educational institution.

ACTION: THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION HOLDING THE CLAIMANT INELIGIBLE FOR BENEFITS AS THE CLAIMANT HAD REASONABLE ASSURANCE OF REEMPLOYMENT WITH AN EDUCATIONAL INSTITUTION.