MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
AUGUST 21, 2019

JOSEPH P. SIEBER, CHAIRPERSON

NANCY W. HUNT, VICE-CHAIRPERSON
A regular meeting of the Board of Review was held on Wednesday, August 21, 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 OF REVIEW MINUTES:

Submitted for adoption are the minutes of Board of Review’s August 14 2019 meeting.

ACTION: THE BOARD VOTED TO ADOPT THE MINUTES OF THE AUGUST 14, 2019 BOARD OF REVIEW OPEN PUBLIC MEETING.

A-1 ORDER VACATING APPEALS TO THE BOARD OF REVIEW

1. ARCENA PENA BOR DKT. 00179017

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

ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASE AS AN ORDER VACATING THE APPEAL TO THE BOARD OF REVIEW.

A-2 REQUEST FOR RECONSIDERATION FROM SUPERIOR COURT

1. JONATHON JOHNSON BOR DKT. 00158001

Claimant appealed the decision of the Appeal Tribunal holding the claimant disqualified for benefits for voluntary leaving of work without good cause. The Board of Review affirmed the Appeal Tribunal and denied the requesting to reopen. Superior Court is requesting the Board to reconsider the denial of reopening.

ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASE AS A RE-OPENING FROM THE SUPERIOR COURT AND ACCEPT THE COURT’S REMAND.

A-3 DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW

1. JOSEPH LACCITELLI BOR DKT. 00182106

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
2. LUIS SANTANA  
BOR DKT. 00183406
Claimant appealed the decision of the Appeal Tribunal relieving the employer of charges.

3. ROBERT LUNA  
BOR DKT. 00179720
Claimant appealed from a decision of the Appeal Tribunal which held claimant disqualified for voluntarily leaving the work and liable for non-fraud refund.

4. LORRAINE SCHULTZ  
BOR DKT. 00170775
The claimant appealed a decision of the Appeal Tribunal holding him subject to a pension reduction and liable for non-fraud refund.

5. KELLY NOEL  
BOR DKT. 00158222
Claimant appealed a decision of the Appeal Tribunal denying the request to reopen due to non-registration for the hearing.

6. PHILIP KIZELEWICZ  
BOR DKT. 00183689
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

7. KENNY BLACK  
BOR DKT. 00182185
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

8. CHRISTINA HUBNER  
BOR DKT. 00177293
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

9. SHAREEF LAING  
BOR DKT. 00181821
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

10. STEVEN WRONKO  
BOR DKT. 00175760
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.
ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW.

A-4 DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW

1. RAMESHCHANDRA SHAH       BOR DKT. 00144861
   Claimant appealed a decision of the Board of Review denying the claimant’s request for a reopening.

2. MICHELLE MASON            BOR DKT. 00171768
   Claimant appealed a decision of the Board of Review denying the claimant’s request for a reopening.

3. NAMEIR GREEN              BOR DKT. 00176965
   Claimant appealed a decision of the Board of Review denying the claimant’s request for a reopening.

4. JOHN HOGAN                BOR DKT. 00177976
   Claimant appealed a decision of the Board of Review denying the claimant’s request for a reopening.

5. OWEN MCPHERSON            BOR DKT. 00179163
   Claimant appealed a decision of the Board of Review denying the claimant’s request for a reopening.

6. RICARDO JIMINEZ           BOR DKT. 00180471
   Claimant appealed a decision of the Board of Review denying the claimant’s request for a reopening.

7. BRIAN TAYLOR              BOR DKT. 00181020
   Claimant appealed a decision of the Board of Review denying the claimant’s request for a reopening.
ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS DENIALS OF REOPENINGS TO THE BOARD OF REVIEW.

A-5 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. CHRISTOPHER LOKERSON BOR DKT. 00183745
   Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for misconduct connected with the work.

2. VILMA OCASIO BOR DKT. 00182876
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

3. LEIKIA HALLETT BOR DKT. 00182638
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and liable for a non-fraud refund.

4. ALYSSA DORAN BOR DKT. 00181873
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and dismissing the claimant’s ability to work as academic.

5. MICHELE ZAWACKI BOR DKT. 00171316
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work and liable for a non-fraud refund.

6. JOEL CANDELARIA BOR DKT. 00177565
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

7. TAMIKA DILL BOR DKT. 00179209
   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.
8. RAFAEL CLASS  BOR DKT. 00182107

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

9. SCOTT LOSEY  BOR DKT. 00183656

Claimant filed an appeal of the Appeal Tribunal decision dismissing the appeal of the Deputy’s determination as the appeal was filed late without good cause.

10. ELIZABETH GAMBONE  BOR DKT. 00182875

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

11. LUCAS FIGUEROA  BOR DKT. 00179866

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

12. SIMONE ALEXANDER  BOR DKT. 00179549

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

13. PAULA EASTMOND  BOR DKT. 00183309

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

14. ANDREW SELIGMAN  BOR DKT. 00183611

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

15. VICTOR BUTLER  BOR DKT. 00184753

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

16. MOISES TORRES JR  BOR DKT. 00177079

Claimant filed timely appeal from Appeal Tribunal decision denying request to reopen.
17. FRANK CHRISTY
BOR DKT. 00183525
Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

18. SAMUEL FERNANDEZ
BOR DKT. 00184087
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work and a liability to a non-fraud refund.

19. DANA BOYD
BOR DKT. 00183283
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

20. DIANA OLIVARES
BOR DKT. 00184141
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and not unemployed.

21. JHON CAICEDO
BOR DKT. 00177728
Employer is appealing a decision of the Appeal Tribunal holding no disqualification for discharge from the employer.

22. RAMON MORA
BOR DKT. 00176634
Claimant appealed decision of the Appeal Tribunal holding a disqualification for voluntarily leaving the work.

23. DIANE LEE
BOR DKT. 00180054
Employer appealed a decision of the Appeal Tribunal holding no disqualification for discharge from the work.

24. GERMAN PIZARRO
BOR DKT. 00182578
Claimant appealed decision of the Appeal Tribunal holding a disqualification for discharge for misconduct.

25. ANGEL MARTINEZ
BOR DKT. 00184062
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
<table>
<thead>
<tr>
<th>Claimant Name</th>
<th>BOR DKT.</th>
<th>Claim</th>
<th>理由</th>
</tr>
</thead>
<tbody>
<tr>
<td>JULIEDSON CHERIDOR</td>
<td>00183421</td>
<td>26.</td>
<td>Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.</td>
</tr>
<tr>
<td>WILLIAM HARRIS</td>
<td>00184479</td>
<td>27.</td>
<td>Claimant appealed the decision of the Appeal Tribunal which denied the claimant's request for a pre-date of an unemployment claim.</td>
</tr>
<tr>
<td>VINCENT PORTARO</td>
<td>00182358</td>
<td>28.</td>
<td>Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.</td>
</tr>
<tr>
<td>ASHWIN NARGE</td>
<td>00184206</td>
<td>29.</td>
<td>Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.</td>
</tr>
<tr>
<td>ROSA CUBAS</td>
<td>00184227</td>
<td>30.</td>
<td>Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits for not being able to work, available for work, and actively seeking work.</td>
</tr>
<tr>
<td>JONATHAN LOPEZ</td>
<td>00184021</td>
<td>31.</td>
<td>Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work from 5/26/19 through 6/1/19.</td>
</tr>
<tr>
<td>ORLANDO MARTINEZ</td>
<td>00178515</td>
<td>32.</td>
<td>Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.</td>
</tr>
<tr>
<td>MONICA LLANES</td>
<td>00182935</td>
<td>33.</td>
<td>Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.</td>
</tr>
<tr>
<td>CARLOS REYES</td>
<td>00177164</td>
<td>34.</td>
<td>Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause.</td>
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</tbody>
</table>
35. JORGE SEGURA    BOR DKT. 00179386

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and liable for a non-fraud refund.

36. NADA JUZMESKA    BOR DKT. 00183098

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

37. JESSICA MAXWELL    BOR DKT. 00183698

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

38. JUANA MONTEPEQUE    BOR DKT. 00183566

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

39. THEODORE RIKER    BOR DKT. 00181563

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

40. TAKIA CLAYTON    BOR DKT. 00182793

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

41. MICHAEL GELEWSKI    BOR DKT. 00184636

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

42. REGINA WILSON    BOR DKT. 00184476

Claimant appealed from a decision of the Appeal Tribunal holding an ineligibility for benefits as she was not available for work.

43. LEVAR SMITH    BOR DKT. 00168738

Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to non-registration for the hearing.
44. PETER HARRIGAN     BOR DKT. 00183949

Claimant appealed a decision of the Appeal Tribunal holding the claimant disqualified for benefits for a discharge for misconduct.

45. RAUL BENITEZ     BOR DKT. 00183426

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

46. SABINA CEUS     BOR DKT. 00183209

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

47. DARWIN ULLOA     BOR DKT. 00183411

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

48. TASHA SULTON     BOR DKT. 00181101

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

49. GEORGE SPADEA     BOR DKT. 00183929

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

50. KENNETH ANDERSON     BOR DKT. 00175654

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

51. RAFAEL AGUILAR     BOR DKT. 00181265

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

52. ESMERALDO BESHOLLI     BOR DKT. 00184625

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 AFFIRMATIONS FROM APPEAL TRIBUNAL DECISIONS.

A-6 REVERSALS OF APPEAL TRIBUNAL DECISIONS

1. MAGGIE ROBINSON  BOR DKT. 00180629
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

2. LISA MATRISS  BOR DKT. 00177874
   Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

3. BRIAN TAKAROFF  BOR DKT. 00183419
   Claimant appealed the decision of the Appeal Tribunal holding a disqualification.

4. TYKERA PARKER  BOR DKT. 00181260
   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 REVERSALS OF APPEAL TRIBUNAL DECISIONS.

A-7 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. THOMAS WILLIAMS  BOR DKT. 00184026
   Claimant appealed the decision of the Appeal Tribunal which denied the claimants request for a pre-date of an unemployment claim.

2. MALGOZATA KOZAK  BOR DKT. 00174632
   Claimant appealed a decision of the Appeal Tribunal holding claimant ineligible for benefits from 12/23/18 through 1/19/19 for having reasonable assurance of employment with an educational institution.
ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE APPEALS AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS.

A-8 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. KIMBERLY HOPKINS BOR DKT. 00183516
   Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

2. KELLY KAUFMAN BOR DKT. 00182322
   Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for misconduct connected with the work.

3. GIANFRANCO BONANNI BOR DKT. 00083943
   Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to non-registration for the hearing.

4. RAFAEL NIDAM BOR DKT. 00183508
   Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and the availability academic.

5. VINCENT GALLO BOR DKT. 00177149
   Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

6. ANTHONY ASSIA BOR DKT. 00183729
   Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for misconduct connected with the work.

7. NAJIYYAH CARTER BOR DKT. 00182486
   Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

8. ANGELA ALFANO BOR DKT. 00162480
   Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to non-registration for the hearing.
9. MATTHEW SCHROEDER   BOR DKT. 00182690

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

10. SARAH HASPEL   BOR DKT. 00175528

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

11. TOSHA THOMAS   BOR DKT. 00182979

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

12. RAYMUNDO CASILLAS   BOR DKT. 00174638

  Claimant appealed the decision of the Appeal Tribunal holding a period of ineligibility for failing to report in accordance with Division regulations.

13. DIEGO MAGANA   BOR DKT. 00184003

  Claimant appealed decision of the Appeal Tribunal holding a disqualification for voluntarily leaving and non-fraud refund.

14. RODOLFO VASQUEZ   BOR DKT. 00183053

  Claimant and employer #2 appealed a decision of the Appeal Tribunal holding a partial disqualification for leaving work with employer #2 voluntarily.

15. MICHAEL SCHIPANI   BOR DKT. 00184266

  Claimant appealed the decision of the Appeal Tribunal holding the claimants weekly benefit rate reduced due to a pension reduction.

16. RAYMOND JOHNSTON   BOR DKT. 00182441

  Claimant appealed a denial of reopening from the Appeal Tribunal as he failed to participate without good cause.

17. ASHLEY LOSPINUSO   BOR DKT. 00183903

  Employer appealed the decision of the Appeal Tribunal holding the claimant was not discharged for misconduct connected with the work.
18. JOHN PAYOR    BOR DKT. 00183433

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

19. JENETTE RODRIGUEZ    BOR DKT. 00177748

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

20. SHARELL MUSE    BOR DKT. 00177237

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

**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** EMELITA ANDERSON    BOR DKT. 00183350

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

**ACTION:** THE BOARD VOTED TO MODIFY THE APPEAL TRIBUNAL DECISION FROM A MISCONDUCT DISQUALIFICATION TO A VOLUNTARY QUIT DISQUALIFICATION FOR JOB ABANDONMENT.

**B-2** CURTIS LAVISCOUNT    BOR DKT. 00182755

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
ACTION: THE BOARD VOTED TO REMAND THIS CASE BACK TO THE APPEAL TRIBUNAL.

B-3 TIMOTHY RUGGERI JR BOR DKT. 00184320

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

ACTION: THE BOARD VOTED TO REMAND THIS CASE BACK TO THE APPEAL TRIBUNAL TO ASK THE APPROPRIATE QUESTIONS.

B-4 IAIN COLE BOR DKT. 00175908

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

ACTION: THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION AND HOLD NO MISCONDUCT.

B-5 YOLANDA WINTERS BOR DKT. 00180368

Claimant was held not disqualified for misconduct but ineligible for reporting requirements and ability to work.

ACTION: THE BOARD VOTED TO HAVE THE APPELLATE SPECIALIST REWRITE THE BOARD’S DECISION AND AFFIRM THE APPEAL TRIBUNAL DECISION.
Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to non-registration for the hearing.