



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
JANUARY 13, 2021**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

ANDREA JACKSON, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING JANUARY 13, 2021

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A regular meeting of the Board of Review was held on Wednesday, January 13, 2021 at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, Andrea Jackson, Acting Executive Secretary,

In accordance with L1975, c.231, the 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 – JANUARY 13, 2021 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the December 30, 2020 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE DECEMBER 30, 2020 BOARD MEETING.

OLD BUSINESS:

1. BRIAN MUELLER BOR DKT. 00212009

Employer appealed a decision of the Appeal Tribunal holding the appeal was filed timely, no disqualification for discharge for misconduct connected to the work and no disqualification for leaving the work voluntarily. **(This case was tabled in the meeting of December 15, 2020 to send correspondence to the employer.)**

ACTION: BOARD VOTED TO DISMISS THIS CASE AS A LATE APPEAL TO THE BOARD OF REVIEW.

SECTION A – HEARING MATTERS

A-1 VACATED APPEALS TO THE BOARD OF REVIEW

1. MICHELLE SUTTON BOR DKT. 00222269

Claimant is not appealing a decision of the Appeal Tribunal dismissing the appeal as late without good cause.

2. SARAH BOLDING BOR DKT. 00224928

Employer appealed the decision of the Appeal Tribunal dismissing the claimant's appeal as a non-justiciable issue, and determination of the Deputy holding the claimant eligible for benefits as the claimant did not have reasonable assurance of reemployment between terms.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS VACATED APPEALS TO THE BOARD OF REVIEW.

BOARD OF REVIEW MINUTES – JANUARY 13, 2021 MEETING

A-2 DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW

1. EDUARDO BUENO BOR DKT. 00194065

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

2. SAVION BRYANT BOR DKT. 00197851

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

3. PHILIP WARD BOR DKT. 00199549

Claimant is appealing a decision of the Appeal Tribunal holding no disqualification of benefits for gross misconduct connected with the work, and a disqualification of benefits for misconduct connected with the work.

4. RYAN LARSON BOR DKT. 00208927

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

5. SHANNON HONE BOR DKT. 00208946

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

6. DICKSON YUEN BOR DKT. 00211693

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

7. CILEM KANCA BOR DKT. 00218725

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.

8. SHANA GORDON DUPUIS BOR DKT. 00220187

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.

BOARD OF REVIEW MINUTES – JANUARY 13, 2021 MEETING

9. ENCHANTE COLLINS BOR DKT. 00220970

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed, and holding the claimant liable for a non-fraud refund.

10. ANDREW NJOKA BOR DKT. 00223029

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

11. SAMANTHA FLORES BOR DKT. 00226079

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

12. PETRE MOMIROSKI BOR DKT. 00216379

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

13. FAHMIDA YESMIN BOR DKT. 00218476

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.

14. SAMANTHA VASILAKOS BOR DKT. 00200251

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

15. GRAVES WILLIAM BOR DKT. 00213030

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

16. DANIEL GARRABRANTS BOR DKT. 00213562

Claimant appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work, not unemployed and claim dated April 12, 2020 invalid, and liable for a non-fraud refund.

17. LAKAISHA CAMERON BOR DKT. 00204654

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

BOARD OF REVIEW MINUTES – JANUARY 13, 2021 MEETING

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

A-3 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. BRITTANY THOMAS BOR DKT. 00211608

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

2. WILYS CALDERON BOR DKT. 00219286

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

3. ANTHONY GALBO BOR DKT. 00219340

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

4. GENESIS BRITO BOR DKT. 00219384

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

5. DIANE RUSSELL BOR DKT. 00219514

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

6. NATALIE BROWN BOR DKT. 00220042

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

7. DEBRA SANTO BOR DKT. 00220118

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

8. JENNIFER GONZALEZ BOR DKT. 00221541

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

BOARD OF REVIEW MINUTES – JANUARY 13, 2021 MEETING

9. LATOYA EDWARDS BOR DKT. 00221832

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

10. MICHAEL VALENTINO BOR DKT. 00222444

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

11. AMAYAH DENT BOR DKT. 00223056

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

12. AHMED SHOAGA BOR DKT. 00224175

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

13. THERESE KARALIAN BOR DKT. 00225723

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

14. KELLI EMERICH BOR DKT. 00226509

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

15. RASHAWN FOX BOR DKT. 00226928

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

16. YEZABEL NUNEZ BOR DKT. 00217706

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

17. NATALIE CIANCI BOR DKT. 00219144

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

BOARD OF REVIEW MINUTES – JANUARY 13, 2021 MEETING

18. CHARINA VARGAS SOSA BOR DKT. 00211358

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

19. SHELLYSE GIBBS BOR DKT. 00207685

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work. **(The Board of Review on its own motion reopened this matter as the digital recording of the Appeal Tribunal was located.)**

20. REYNOLDS CHAMBERLAIN BOR DKT. 00216068

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

21. MARJARAE MOTLEY BOR DKT. 00213288

Claimant appealed a decision of the Appeal Tribunal dismissing appeal as late without good cause through March 21, 2020, and ineligible for benefits under ability, availability and active search for work.

22. RICHARD RODRIGUEZ BOR DKT. 00221946

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

23. JULY SALAS BOR DKT. 00219456

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

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

A-4 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. STEVEN CINES BOR DKT. 00220153

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

BOARD OF REVIEW MINUTES – JANUARY 13, 2021 MEETING

2. LISA MASSEY BOR DKT. 00213286

Claimant filed an appeal to a decision of the Appeal Tribunal holding her ineligible for benefits on the ground that she was not unemployed and was liable for a non-fraud refund.

3. CATHERINE DOWDELL BOR DKT. 00227067

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work, and liable for a non-fraud refund.

4. GLORIA ROMAN BOR DKT. 00222076

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

5. AMAURY TORRES BOR DKT. 00211860

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

6. DAVID BURGOS BOR DKT. 00213116

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for 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 GREGORY CORT BOR DKT. 00216939

Claimant is not appealing a decision of the Appeal Tribunal, which reduced the claimant's weekly benefit rate to zero due to a pension offset. (**Appellate Specialist Zola**)

ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION WITH A REWRITE TO ADDRESS THE CLAIMANT'S CONTENTION IN THE BOARD'S DECISION THAT THE CLAIMANT SHOULD BE

BOARD OF REVIEW MINUTES – JANUARY 13, 2021 MEETING

ELIGIBLE FOR FEDERAL PANDEMIC UNEMPLOYMENT ASSISTANCE AND CITE THE C.A.R.E.S. ACT.

B-2 ANILA BILBILI BOR DKT. 00218433

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 ineligible for PUA. (**Appellate Specialist Matos**)

ACTION: BOARD VOTED TO TABLE THE MATTER TO A FUTURE AGENDA TO SEND CORRESPONDENCE TO THE CLAIMANT’S ATTORNEY.

B-3 LINETT LIRANZO ADON BOR DKT. 00218784

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

ACTION: BOARD VOTED TO DISMISS THIS CASE AS A LATE APPEAL TO THE BOARD OF REVIEW.

B-4 CATHERINE CARLE BOR DKT. 00220130

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund. (**Appellate Specialist Matos**)

ACTION: BOARD VOTED TO HOLD THE CLAIMANT’S APPEAL TIMELY TO THE BOARD AND REMAND TO THE APPEAL TRIBUNAL FOR A NEW HEARING AS RECORDING WAS NOT AVAILABLE.

BOARD OF REVIEW MINUTES – JANUARY 13, 2021 MEETING

B-5 SABINE TROUP

BOR DKT. 00222729

Claimant submitted a letter requesting Pandemic Unemployment Assistance benefits. (**Appellate Specialist Hart**)

ACTION: BOARD VOTED TO VACATE THIS CASE WITH A REWRITE IN THE BOARD'S DECISION TO INDICATE THAT THE CLAIMANT WAS PAID PANDEMIC UNEMPLOYMENT ASSISTANCE.

B-6 NICOLE DONNELLY

BOR DKT. 00223392

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment with an educational institution and liability for a non-fraud refund. (**Appellate Specialist Jackson**)

ACTION: BOARD VOTED TO TABLE THIS CASE TO A FUTURE AGENDA TO SEND CLAIMANT CORRESPONDENCE TO DETERMINE WHEN THE CLAIMANT RECEIVED THE APPEAL TRIBUNAL DECISION AND WHEN THE CLAIMANT INITIALLY FILED HER APPEAL TO THE BOARD OF REVIEW.