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**State of New Jersey**  
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT  
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ROBERT ASARO-ANGELO  
*Commissioner*

**BOARD OF REVIEW**

**MINUTES OF REGULAR MEETING OF  
THE BOARD OF REVIEW  
JANUARY 20, 2021**

**NANCY HUNT, CHAIRPERSON**

**WILLIAM SCAGLIONE, VICE-CHAIR**

**ANDREA JACKSON, ACTING EXECUTIVE SECRETARY**

**BOARD OF REVIEW MEETING JANUARY 20, 2021**

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**A regular meeting of the Board of Review was held on Wednesday, January 20, 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 JANUARY 20, 2021 MEETING – AGENDA

### BOARD MINUTES:

Submitted for adoption are the minutes of the January 13, 2021 Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE JANUARY 13, 2021 MEETING.**

### SECTION A – HEARING MATTERS

#### **A-1 DISMISSALS OF LATE APPEALS AND NON-JUSTICIABLE ISSUES TO THE BOARD OF REVIEW**

- 1. ROSEMARIE ROMA** BOR DKT. 00212667

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

- 2. MARDIA PAYNE-PHILLIPS** BOR DKT. 00216921

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

- 3. MINGHSING HUNG** BOR DKT. 00214803

Claimant appealed a decision of the Appeal Tribunal which held the claimant not ineligible for benefits.

- 4. LAQUAN HARRIS** BOR DKT. 00216694

Claimant appealed a decision of the Appeal Tribunal holding the appeal was filed timely, and a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

- 5. ERICKA MCCOY** BOR DKT. 00161774

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. PENELOPE LOPEZ** BOR DKT. 00168058

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

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**voted to vacate this case as it is not an appeal of an Appeal Tribunal decision.)**

7. KRISTY ACOSTA BOR DKT. 00215144

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Disability Benefits During Unemployment (DDU).

**ACTION: BOARD VOTED TO ACCEPT THE REMAINING 6 CASES AS DISMISSALS OF LATE APPEALS AND NON-JUSTICIABLE ISSUES TO THE BOARD OF REVIEW.**

### A-2 DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW

1. DWAYNE MOORE BOR DKT. 00183725

Claimant requests reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision denying the request to reopen due to non-registration for the hearing.

2. ANNE KELLY BOR DKT. 00209782

Claimant requests reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

3. LAURA PETTIT BOR DKT. 00202403

Claimant requests reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work and dismissing as academic her ineligibility for benefits under availability for work.

4. KIRSTEN MORRIS BOR DKT. 00216213

Claimant requests reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision which dismissed the appeal as late without good cause.

5. JACQUELINE PAIGE BOR DKT. 00208224

Claimant requests reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work and liable for a non-fraud refund.

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**6. LAURIE JOHNSON** BOR DKT. 00194153

Claimant requests reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

**7. TASHAUNDA FUTRELL** BOR DKT. 00200606

Claimant requests reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

**8. YEIDY GARCIA** BOR DKT. 00195380

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision which denied the request to reopen the matter due to non-registration for the hearing.

**9. JAMES DAVIS** BOR DKT. 00204880

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

**10. ANTHONY GARCIA** BOR DKT. 00211404

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding no disqualification for leaving the work voluntarily without good cause attributable to the work and holding the claimant ineligible for benefits on the ground that the claimant is not unemployed.

**11. NICKOLAS KIDWELL** BOR DKT. 00196776

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding a disqualification for leaving the work voluntarily without good cause attributable to such work and holding the issue of ability to work academic.

**12. ANGELO APOSTOLIS** BOR DKT. 00195069

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

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**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW.**

### A-3 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

**1. SHIVA DIXON DE MOURA** **BOR DKT. 00217743**

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

**2. RICHARD BURKS III** **BOR DKT. 00209823**

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

**3. YAJAIRA CORTEZ** **BOR DKT. 00215346**

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

**4. REHIEM WINCHESTER** **BOR DKT. 00212323**

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

**5. KEVIN JACKSON** **BOR DKT. 00209569**

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

**6. CONTINA WRIGHT** **BOR DKT. 00212157**

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

**7. LILI CHU** **BOR DKT. 00217121**

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 holding the claimant liable for a non-fraud refund.

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**8. DOREEN CHAPMAN** BOR DKT. 00215764

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid.

**9. TIONA JONES** BOR DKT. 00206243

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

**10. TASHEEMA BARR** BOR DKT. 00218029

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

**11. BRIAN GAMARELLO** BOR DKT. 00218192

Claimant appealed a decision of the Appeal Tribunal holding the employer filed a timely appeal and a disqualification of benefits for misconduct connected with the work.

**12. KNEISHA LEWIS** BOR DKT. 00203205

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

**13. ANGELICA LORETI** BOR DKT. 00211815

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

**14. PURA MONROW** BOR DKT. 00217809

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

**15. CAROLLYNN BOWMAN** BOR DKT. 00215291

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

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**16. ANTHONY ALESSANDRINE** BOR DKT. 00218468

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

**17. WILHEMINA OFORI-OWUSU** BOR DKT. 00213572

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

**18. THERESA CASALASPRO** BOR DKT. 00213135

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.

**19. YARANISE ALBINO DE LA CRUZ** BOR DKT. 00213126

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.

**20. DELORES SHEPPERSON** BOR DKT. 00214934

Claimant appealed decision of the Appeal Tribunal holding an ineligibility on the ground that the claimant did not report in accordance with Division regulations.

**21. CASSANDRA HAMLETT** BOR DKT. 00213239

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

**22. SHERRI JONES** BOR DKT. 00216632

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

**23. DANIEL COOPER** BOR DKT. 00217381

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



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### 24. FELIPE LOPES DOS SANTOS

BOR DKT. 00215832

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

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

### A-4 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

#### 1. JANICE HAAS

BOR DKT. 00216850

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

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A MODIFICATION OF AN APPEAL TRIBUNAL DECISION.**

### A-5 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

#### 1. MICHELLE JOHNSON

BOR DKT. 00208791

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

#### 2. SIERRA STOKES

BOR DKT. 00210546

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

#### 3. AMERICA RAMOS MARTINEZ

BOR DKT. 00222414

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work, misconduct connected with the work, the claimant not liable for a non-fraud refund and their account liable for benefit charges.

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**4. JINHUA LIU** BOR DKT. 00217738

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work and no liability for a non-fraud refund.

**5. NATASHA SEIDEN** BOR DKT. 00217452

Claimant appealed the decision of the Appeal Tribunal holding that the appeal was filed late with good cause and holding a disqualification period as the claimant was discharged for misconduct connected to the work.

**6. LIA RITACCO CROCCO** BOR DKT. 00217111

Claimant appealed decision of the Appeal Tribunal holding a period of ineligibility on the ground that the claimant did not report in accordance with the regulations of the Division.

**7. ANA MARIA ALBORNOZ** BOR DKT. 00227212

Claimant appealed a 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. CLAIR GHATTAS** BOR DKT. 00210492

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

**9. EDWARD MCEWEN** BOR DKT. 00206598

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

**10. CUTHBERT INCE** BOR DKT. 00217839

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

**11. LINDA WALTERS** BOR DKT. 00214695

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

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12. LORI DEANE

BOR DKT. 00214197

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

13. ANA GONZALEZ

BOR DKT. 00217749

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility under availability for work and Pandemic Unemployment Assistance (PUA) benefits and a liability to a non-fraud refund.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY.**

### SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 CATHERINE DUNN

BOR DKT. 00222347

Claimant appealed the decision of the Appeal Tribunal holding the claimant employed full-time with employer #1. (**Appellate Specialist Jackson**)

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS AN AFFIRMATION OF AN APPEAL TRIBUNAL DECISION.**

B-2 KRISTIAN JHAMB

BOR DKT. 00223032

Claimant appealed a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant had insufficient base year wages to establish a valid claim and a liability for a non-fraud refund. (**Appellate Specialist Jackson**)

**ACTION: BOARD VOTED TO REVERSE THE ABOVE CASE BASED ON THE GUIDANCE OF UIPL 16-20 OF THE C.A.R.E.S. ACT, WHICH IN PERTINENT PART DEFINES A RECENT ATTACHMENT TO THE LABOR MARKET AS AN INDIVIDUAL WHO HAD A BONA FIDE OFFER TO START WORKING ON A SPECIFIC DATE AND WERE UNABLE TO START DUE TO ONE OF THE COVID-19 RELATED REASONS IDENTIFIED UNDER SECTION 2102 OF THE C.A.R.E.S. ACT, AND TO REMAND TO THE DEPUTY, TO ISSUE A DETERMINATION REGARDING THE CLAIMANT'S ELIGIBILITY FOR PUA BENEFITS BASED ON**

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### THE OFFER OF WORK.

**B-3** LUIS FARJARDO

BOR DKT. 00218534

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed. (**Appellate Specialist Matos**)

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REMAND TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY REGARDING THE CLAIMANT’S ELIGIBILITY FOR BENEFITS FROM MARCH 29, 2020 THROUGH MAY 16, 2020, WHICH WAS THE PERIOD BEFORE THE CLAIMANT RETURNED TO WORK.**

**B-4** SALEEMA DAVIS

BOR DKT. 00217241

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

**ACTION: BOARD VOTED TO TABLE THIS CASE TO A FUTURE AGENDA FOR FURTHER REVIEW AFTER LISTENING TO THE RECORDING OF THE APPEAL TRIBUNAL HEARING TO DETERMINE WHETHER THE CLAIMANT HAD GOOD CAUSE FOR THE DELAY IN FILING THE APPEAL.**