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**State of New Jersey**  
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ROBERT ASARO-ANGELO  
*Commissioner*

**BOARD OF REVIEW**

**MINUTES OF REGULAR MEETING OF  
THE BOARD OF REVIEW  
MARCH 10, 2021**

**NANCY HUNT, CHAIRPERSON**

**WILLIAM SCAGLIONE, VICE-CHAIR**

**LISA HART, ACTING EXECUTIVE SECRETARY**

**BOARD OF REVIEW MEETING MARCH 10, 2021**

**MARCH 10, 2021**

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

**PRESENT: Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, Lisa Hart, 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 – MARCH 10, 2021 MEETING

### BOARD MINUTES:

Submitted for adoption are the minutes of the March 3, 2021 Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE MARCH 3, 2021 BOARD OF REVIEW MEETING.**

### OLD BUSINESS:

1. STEPHANIE DAVIS BOR DKT. 00213421

Claimant appealed a decision of the Appeal Tribunal holding ineligible under availability for work and Pandemic Unemployment Assistance (PUA). **(This case was tabled in the meeting of March 3, 2021 pending further review).**

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION.**

2. EDWIN GONZALEZ BOR DKT. 00224385

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and a liability for a non-fraud refund. **(This case was tabled in the meeting of March 3, 2021 pending further review).**

**ACTION: BOARD VOTED TO ISSUE A DECISION TO REMAND TO THE APPEAL TRIBUNAL WHICH REVERSES THE VOLUNTARY LEAVING DISQUALIFICATION AND FOR ADDITIONAL TESTIMONY REGARDING REFUSAL OF SUITABLE WORK AND THE CLAIMANT'S AVAILABILITY FOR WORK.**

3. HECTOR NUÑEZ BOR DKT. 00218486

Claimant appealed decision of the Appeal Tribunal holding an ineligibility for benefits as the claimant was employed full-time. **(This case was tabled in the meeting of February 10, 2021).**

## BOARD OF REVIEW MINUTES – MARCH 10, 2021 MEETING

**ACTION: BOARD VOTED TO TABLE FOR CLARIFICATION FROM THE DIVISION.**

4. HECTOR NUÑEZ BOR DKT. 00218493

Claimant appealed decision of the Appeal Tribunal holding an ineligibility for benefits as the claimant was employed full-time. **(This case was tabled in the meeting of February 10, 2021).**

**ACTION: BOARD VOTED TO TABLE FOR CLARIFICATION FROM THE DIVISION.**

5. JENNIFER WOODINGTON BOR DKT. 00213378

Claimant appealed a decision of the Appeal Tribunal holding the claimant not unemployed and the claim dated April 5, 2020 invalid. **(This case was placed on this agenda for the Board to correct their decision).**

**ACTION: BOARD VOTED TO ISSUE A CORRECTED DECISION WHICH REMANDS THE CLAIMANT'S ELIGIBILITY FOR PUA TO THE APPEAL TRIBUNAL.**

### SECTION A – HEARING MATTERS

#### **A-1 WITHDRAWAL OF APPEALS**

1. DILLON SIBILLA BOR DKT. 00221084

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

2. RHINNA BAKER BOR DKT. 00221253

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

3. VICTORIA CHEVRIER BOR DKT. 00220186

## BOARD OF REVIEW MINUTES – MARCH 10, 2021 MEETING

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 WITHDRAWALS OF APPEALS.**

### A-2 VACATED APPEALS TO THE BOARD OF REVIEW

1. ARTHUR ALLAROV BOR DKT. 00211447

Claimant's letter was erroneously processed as an appeal to this docket.

2. RUSSELL CURVING BOR DKT. 00189317

Claimant's letter was erroneously processed as an appeal to this docket.

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

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

1. TONY ABRAHAM BOR DKT. 00225085

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

2. DANIELLE MCGHEE BOR DKT. 00221475

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.

3. MIRJANA POLLACK BOR DKT. 00208813

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

4. MARIA TUTINO BOR DKT. 00219832

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

## BOARD OF REVIEW MINUTES – MARCH 10, 2021 MEETING

**ACTION: 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. BARBARA CLARKSON** **BOR DKT. 00203193**

Claimant is requesting a 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.

**2. WARREN PARKER** **BOR DKT. 00206233**

Claimant is requesting a 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. NAKESHA SINGH** **BOR DKT. 00209051**

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

**4. NOREEN ZIGARELLI** **BOR DKT. 00209062**

Claimant is requesting a 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.

**5. BIANCA ABRERA** **BOR DKT. 00209278**

Claimant is requesting a 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.

**6. VASILIOS KARIDIS** **BOR DKT. 00210854**

Claimant is requesting a reconsideration of the Board of Review decision affirming the Appeal Tribunal's decision holding a disqualification of benefits for leaving work with employer #1 voluntarily without good cause attributable to the work.

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7. DOMINIQUE LONG BOR DKT. 00212554

Claimant is requesting a reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding a disqualification of benefits for leaving work voluntarily and a liability for a non-fraud refund.

8. DANIEL GARRABRANTS BOR DKT. 00213562

Claimant is requesting a reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding the claimant disqualified for benefits for leaving the 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.

9. JANELLE CLARK BOR DKT. 00214575

Claimant is requesting a reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding the claimant not unemployed.

10. SONIA SHERMAN BOR DKT. 00214870

Claimant is requesting a reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding the claimant ineligible for benefits under availability for work.

11. PETRE MOMIROSKI BOR DKT. 00216379

Claimant is requesting a reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding the claimant ineligible for benefits under availability for work.

12. RICHARD RODRIGUEZ BOR DKT. 00221946

Claimant is requesting a reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision dismissing the claimant's appeal as late without good cause.

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

## BOARD OF REVIEW MINUTES – MARCH 10, 2021 MEETING

### A-5 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. RONALD HAZZARD BOR DKT. 00225081

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

2. ADAMS ISSAKA BOR DKT. 00218143

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

3. EDWIN SANTIAGO DIAZ BOR DKT. 00220465

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.

4. TERRELL WATKINS BOR DKT. 00220452

Claimant appealed a decision of the Appeal Tribunal dismissing a period of the appeal as it was filed late without good cause, holding the claimant ineligible for benefits under availability for work and holding the claimant ineligible for benefits as he was not unemployed.

5. MARIA OLIVERO BOR DKT. 00218919

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. MICHAEL LAZORKO BOR DKT. 00228200

Claimant appealed a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant was not attached to the labor market.

7. KIMBERLY FOWLER-EDMONDS BOR DKT. 00223247

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

8. ANTHONY PALERMO BOR DKT. 00219097



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- Claimant appealed the Appeal Tribunal decision reducing his weekly benefit rate to zero due to a pension offset, and holding the claimant liable for a non-fraud refund.
9. JAMIE ADELSBERGER BOR DKT. 00223107
- Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability for a non-fraud refund.
10. MARIO VILLARRUBIA BOR DKT. 00225328
- Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work and ability to work and liable for a non-fraud refund.
11. TERRY PISACK BOR DKT. 00221024
- Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.
12. NAOMI GUZMAN BOR DKT. 00225754
- 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. LUIS R. COLLADO BOR DKT. 00219327
- Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.
14. RONI BERG BOR DKT. 00224665
- 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 a liability to a non-fraud refund.
15. CHRISTOPHER ALLEN BOR DKT. 00222025
- Claimant appealed a decision of the Appeal Tribunal holding him liable for a fraud refund.
16. FALLON DAVIS BOR DKT. 00212195

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

**17. ASHLEY JOHNSON**

BOR DKT. 00226469

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

**18. THUY NGUYEN**

BOR DKT. 00222058

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.

**19. SHARIF CLARK**

BOR DKT. 00225956

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 the claimant liable for a non-fraud refund.

**20. JAN-CHRISTIAN ZEGERS**

BOR DKT. 00219794

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.

**21. CARLOS LEE**

BOR DKT. 00223844

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

**22. MARIA AQUINO**

BOR DKT. 00222281

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 liability for non-fraud refund.

**23. HEATHER WARD**

BOR DKT. 00226205

Employer appealed the decision of the Appeal Tribunal holding the claimant eligible for benefits as the claimant did not have reasonable assurance of reemployment between terms.

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**24. JACQUELINE RUSSELL**

BOR DKT. 00222172

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 a liability to a non-fraud refund.

**25. FRANK TRAMA, JR.**

BOR DKT. 00219077

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work, claimant eligible for PUA, and not liable for a non-fraud refund.

**26. CRYSTAL RIVERS-KING**

BOR DKT. 00206722

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

**27. ROY VELEZ**

BOR DKT. 00225026

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of regular benefits for leaving work voluntarily without good cause attributable to the work and ineligible for Pandemic Unemployment Assistance benefits and a liability to a non-fraud refund.

**28. CHELSEA GREEN**

BOR DKT. 00223315

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

**29. MARY ELLEN REULBACH**

BOR DKT. 00222806

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 non-fraud refund.

**30. TIMOTHY LASALA**

BOR DKT. 00228132

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

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### 31. ADRIONNA JOHNSON

BOR DKT. 00227024

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

### 32. IRVING AQUINO

BOR DKT. 00224914

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

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

## A-6 REVERSALS OF APPEAL TRIBUNAL DECISIONS

### 1. KESHIA ROBINSON

BOR DKT. 00226320

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 CASE AS A REVERSAL OF THE APPEAL TRIBUNAL DECISION.**

## A-7 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

### 1. YERMIYOHU TREITEL

BOR DKT. 00227101

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

### 2. RONALD TOWNE

BOR DKT. 00221371

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

### 3. GABRIEL ORTIZ

BOR DKT. 00224969

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

## BOARD OF REVIEW MINUTES – MARCH 10, 2021 MEETING

and denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons.

### 4. MIGUELINA POLANCO BOR DKT. 00223585

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 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS.**

## A-8 MODIFIED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR DEPUTY

### 1. JOHN CALIA BOR DKT. 00225728

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 under employed full-time.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A MODIFIED AND REMANDED DECISION TO THE APPEAL TRIBUNAL OR DEPUTY.**

## A-9 REQUESTS FOR RECONSIDERATION FROM THE SUPERIOR COURT

### 1. GINA GOLDEY BOR DKT. 00206967

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

**ACTION: THIS CASE WAS PLACED ON THE AGENDA IN ERROR PENDING FURTHER ACTION BY SUPERIOR COURT.**

## A-10 REOPENED AND REMANDED DECISIONS FROM THE SUPERIOR COURT

### 1. ADALBERTO TEXIDOR BOR DKT. 00164948

Appellate Division vacated the Board of Review's decision and remanded for further proceedings for a complete and audible record.

## BOARD OF REVIEW MINUTES – MARCH 10, 2021 MEETING

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REOPEN AND REMAND DECISION FROM SUPERIOR COURT.**

### **A-11 REVERSED AND REMANDED DECISION TO THE APPEAL TRIBUNAL OR THE DEPUTY**

1. JULIUS SCIAMANNA BOR DKT. 00224161

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

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REVERSED AND REMANDED DECISION TO THE APPEAL TRIBUNAL OR DEPUTY.**

### **A-12 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY**

2. KARISSA MENDOZA BOR DKT. 00225564

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.

3. WILLIAM ENCARNACION BOR DKT. 00220111

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

4. IBRAHIM HASSANIEN BOR DKT. 00226128

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

5. YADLEY MARCELLIUS BOR DKT. 00227369

Employer #1 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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**6. SANDRA HURTADO** BOR DKT. 00225962

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 liable for non-fraud refund.

**7. GARRY OCEANAK** BOR DKT. 00225205

Claimant appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work, ineligible for benefits under availability for work, ineligible for PUA, and liable for a non-fraud refund.

**8. AMY MUÑOZ** BOR DKT. 00223131

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

**9. JUSTIN LAMBIASE** BOR DKT. 00227856

Employer appealed a decision of the Appeal Tribunal holding the claimant not ineligible for benefits under availability for work.

**10. MALVINA VELIU** BOR DKT. 00225341

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.

**11. GUSTAVO VERDECIA** BOR DKT. 00221476

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

**12. MAGGIE BARANOWSKI** BOR DKT. 00214604

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

**13. EFAT ELSAYED** BOR DKT. 00226116

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Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, ineligible for benefits under ability to work, and holding the claimant liable for a non-fraud refund.

**14. HECTOR LOPEZ**

BOR DKT. 00224938

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause and liable for a non-fraud refund.

**15. MEHANA ARAB**

BOR DKT. 00213404

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, holding an ineligibility for availability for work and holding a liability for non-fraud refund.

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

### **A-13 REOPENED AND REMANDED APPEALS TO THE APPEAL TRIBUNAL**

**1. MARCUS JENKINS**

BOR DKT. 00209201

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

**2. ANTHONY MOLINO**

BOR DKT. 00164805

Appellate Division remanded for further proceedings in order to review supplemental documentation submitted on appeal.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REOPENED AND REMANDED APPEALS TO THE APPEAL TRIBUNAL.**

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

**B-1 FERDI ABEDINI**

BOR DKT. 00225306

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



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ineligible for PUA, and liable for a non-fraud refund. (**Appellate Specialist Zola**)

**ACTION: BOARD VOTED TO TABLE FOR A POST REVIEW OF THE RECORD.**

**B-2 LAURA WALLACE**

BOR DKT. 00222476

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed and a liability for a non-fraud refund. (**Appellate Specialist Jackson**)

**ACTION: BOARD VOTED TO TABLE FOR FURTHER CONSIDERATION.**

**B-3 DANIELLE ASTA**

BOR DKT. 00219244

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily, and not liable for a non-fraud refund. (**Appellate Specialist Zola**)

**ACTION: BOARD VOTED TO TABLE IN ORDER TO SEND A LETTER TO THE EMPLOYER FOR CLARIFICATION AS TO WHY THE EMPLOYER FAILED TO REGISTER AND PARTICIPATE IN THE HEARING.**

**B-4 MITCHELL KOSOFSKY**

BOR DKT. 00229254

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid as the claimant was not considered “unemployed” and the matter of the claimant’s refund liability academic. (**Appellate Specialist Hart**)

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION HOLDING THE CLAIM INVALID, THE CLAIMANT NOT ELIGIBLE FOR PUA AND THE CLAIMANT LIABLE FOR THE NON-FRAUD REFUND.**

**B-5** DAVID DURNAL

BOR DKT. 00222345

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

**ACTION: BOARD VOTED TO REMAND THE MATTER TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY REGARDING THE FINAL INCIDENT WHICH LED TO THE CLAIMANT'S DISCHARGE.**