



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
APRIL 29, 2020**

NANCY HUNT, ACTING CHAIRPERSON

WILLIAM SCAGLIONE, ACTING VICE-CHAIRMAN

SHARAHZAD A. LEDAN, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING APRIL 29, 2020

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A regular meeting of the Board of Review was held on Wednesday, April 29, 2020 at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Nancy Hunt, Acting Chairperson, William Scaglione, Acting Vice-Chairman, Sharahzad A. Ledan, Acting 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.

BOARD OF REVIEW MINUTES – APRIL 29, 2020 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the March 18, 2020 Board meeting.

ACTION: THE BOARD VOTED TO ADOPT THE MINUTES OF THE MARCH 18, 2020 BOARD MEETING

SECTION A – HEARING MATTERS

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

- 1. ANGEL ROBLES** BOR DKT. 00202011

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

- 2. STEPHON MCCALL** BOR DKT. 00198146

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

- 3. GABRIEL VEREEN** BOR DKT. 00201402

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

- 4. NATASHA MOORE** BOR DKT. 00200581

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund.

- 5. MALLORY GOLDSMITH** BOR DKT. 00192077

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

- 6. BRUCE SHABANOWITZ** BOR DKT. 00193365

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

- 7. SHARON MENDOZA** BOR DKT. 00202092

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

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8. CHIBUIKEM NWANONYIRI BOR DKT. 00202235

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for insufficient wages to remove a prior disqualification for misconduct connected with the work.

9. TANYA CLARK BOR DKT. 00200967

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-2 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. AMY MCSWEENEY BOR DKT. 00202492

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

2. HSINGHUI YU BOR DKT. 00204077

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

3. PRECIOUS ALADI BOR DKT. 00201511

Claimant appealed a decision of the Appeal Tribunal holding she filed a timely appeal, and a disqualification of benefits for leaving work voluntarily.

4. LORETTA ALSTON BOR DKT. 00202989

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

5. DEBRA MURPHY BOR DKT. 00204391

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

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6. VIVIAN SUGA BOR DKT. 00198793

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

7. DAVID KENT BOR DKT. 00203408

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

8. LESLY HUANCAYO-TASSO BOR DKT. 00203231

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

9. JOFFRE ROBALINO BOR DKT. 00203540

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

10. ANA GLASTER BOR DKT. 00197232

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

11. BRENDA ALVARADO BOR DKT. 00203304

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

12. MARY WATKINS-HARMON BOR DKT. 00201690

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

13. JULIA DELIA BOR DKT. 00197675

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

14. ELIAINE SEMINERIO BOR DKT. 00202453

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

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15. ATIYA JONES

BOR DKT. 00202685

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

16. DENISE BALL

BOR DKT. 00204090

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

17. JO DAVIS

BOR DKT. 00204907

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

ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE 17 AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS WITH THE EXCEPTION OF NUMBER 2. BERNARD JIMENEZ DKT. NO. 00192597 AND NUMBER 3. WILLIAM ANDERSON DKT. NO.: 00203359 WHICH WERE REMOVED FROM THE AFFIRMATIONS LIST FOR DISCUSSION.

A-3 REQUEST FOR RECONSIDERATION FROM THE SUPERIOR COURT

1. ATUL PATEL

BOR DKT. 00109635

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause. The Board of Review affirmed the decision of the Appeal Tribunal and held the claimant's appeal late without good cause. The Superior Court is requesting the Board to reconsider due to the claimant's limited English proficiency. **(Case to be discussed in the Open Public Meeting of April 29, 2020).**

ACTION: BOARD VOTED TO ACCEPT THE COURTS MOTION FOR RECONSIDERATION ON THE ABOVE CASE DUE TO CLAIMANT'S LIMITED ENGLISH PROFICIENCY.

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A-4 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. CATHY SHANAHAN BOR DKT. 00202430

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

2. JAMES BACON BOR DKT. 00202877

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

3. LAWRENCE SCHWARTZ BOR DKT. 00201705

The claimant appealed the decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund.

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 BERNARD JIMENEZ BOR DKT. 00192597

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

ACTION: THE BOARD VOTED TO REMAND THIS CASE FOR SUBSTANTIATION FO THE CLAIMANT’S MEDICAL DOCUMENTATION.

- B-2 WILLIAM ANDERSON BOR DKT. 00203359

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

ACTION: THE BOARD VOTED TO AFFIRM WITH A CORRECTION IN THE BOARD’S DECISION IN THE FINDINGS OF FACT.

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THE APRIL 29, 2020 OPEN PUBLIC MEETING WILL BE HELD VIA TELEPHONE CONFERENCE LINE.

THE INFORMATION TO ACCESS THE CALL IS:

(TELEPHONE # 1-(856) 338-7074 AND THE CONFERENCE ID IS: 307 051 121#)