MINUTES OF REGULAR MEETING OF THE BOARD OF REVIEW
JUNE 29, 2022

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

ANDREA JACKSON, ACTING EXECUTIVE SECRETARY
A regular meeting of the Board of Review was held on Wednesday, June 29, 2022 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 MINUTES:

Submitted for adoption are the minutes of the June 15, 2022 Board meeting.

ACTION: BOARD VOTED ADOPT THE MINUTES OF THE JUNE 15, 2022 BOARD MEETING.

OLD BUSINESS:

1. WANDA LAIRD BOR DKT. 00253590

Claimant appealed a decision of the Appeal Tribunal holding the claim for Pandemic Unemployment Assistance (PUA) benefits was invalid due to no labor attachment, and claimant liable for a non-fraud refund.

   Action: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY TO DETERMINE WHETHER THE CLAIMANT MEETS THE QUALIFICATIONS FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS.

SECTION A – HEARING MATTERS:

A-1 WITHDRAWAL OF APPEALS

1. DEAMAN CHERRY BOR DKT. 00273040

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.

   Action: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A WITHDRAWAL OF AN APPEAL.

A-2 VACATED APPEALS BY THE BOARD OF REVIEW

1. JENNA HARDISON BOR DKT. 00245643

Correspondence submitted to the Board of Review was erroneously processed as an appeal to a favorable decision.
2. BARRINGTON NEWBY
   Claimant appealed the decision of the Appeal Tribunal dismissing the appeal for failure to participate.

3. JEANNE STOCKWELL
   Claimant's appeal letter was docketed in error as an appeal regarding the matter of not unemployed and non-fraud refund.

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

A-3 DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIA BLE APPEAL ISSUE

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

2. KAREN MANZO
   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.

3. DIANNA OGANDO
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits under leaving work voluntarily without good cause attributable to the work and a liability to a refund.

4. FLORKENSIE ALMONOR
   Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work.

5. STEVEN BURGIN
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.
6. GEORGE MCKENZIE JR  BOR DKT. 00267555

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

7. ROSEMARIE GRAGNANO  BOR DKT. 00214658

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

**ACTION:** BOARD VOTED TO ACCEPT THE ABOVE CASES AS DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUE.

**A-4  AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW**

1. KAITLYN FOX  BOR DKT. 00254148

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

2. JAMES PRESSLEY  BOR DKT. 00252656

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for misconduct connected with the work, no ineligibility of benefits under ability to work, and no liability for a non-fraud refund.

3. WILLIAM MAYWOOD III  BOR DKT. 00253159

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

4. TYLER BUJNOWSKI  BOR DKT. 00253156

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 an agency refund.
5. CATHERINE GRUETZMANN
BOR DKT. 00253661

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid as the claimant worked in exempt employment, and the claimant was liable for a non-fraud refund.

6. TAYLOR McMICHAELE
BOR DKT. 00252030

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

7. TAYLOR McMICHAELE
BOR DKT. 00252032

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

8. TAYLOR McMICHAELE
BOR DKT. 00252031

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

9. NOEL BERLEY
BOR DKT. 00254643

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

10. JAYQWAN WINNS
BOR DKT. 00253601

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, an ineligibility for Pandemic Unemployment Assistance (PUA) as the claimant’s unemployment was not due to one of the COVID-19 related reasons identified under the CARES Act, and a liability for a non-fraud refund.

11. MATTHEW O’RORKE
BOR DKT. 00254964

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant’s unemployment was not due to one of the COVID-19 related reasons identified in the CARES Act.

12. ANJELEIGH KRAUS
BOR DKT. 00220058

Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to non-registration for the hearing.
13. AMIRA SINGLETON  BOR DKT. 00261531

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

14. CRYSTALYNN JACKSON-GILLARD  BOR DKT. 00265892

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

15. CIYHANNI ROBINSON  BOR DKT. 00263943

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

16. TZIVIA EICHENHOLZ  BOR DKT. 00247859

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

17. JOANMARIE CIFELLI  BOR DKT. 00281929

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

18. KEITH VELTRE  BOR DKT. 00239414

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under employed full-time and a liability to a refund.

19. JASMIN ROBBS ALSTON  BOR DKT. 00252591

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.

20. AMY PLUMP  BOR DKT. 00253935

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 denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant’s unemployment was not due to one of the COVID-19 related reasons.
21. VALERIE CELIK
BOR DKT. 00252525

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant’s unemployment was not due to one of the COVID-19 related reasons, and a liability to an agency refund.

22. ENRIQUE MOREJON
BOR DKT. 00253953

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

23. EMMANUEL AIGBOGUN
BOR DKT. 00252717

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

24. ROBERT KEARNS
BOR DKT. 00252623

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

25. JARED ROSENBLUM
BOR DKT. 00252937

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

26. ZHANE ROBINSON
BOR DKT. 00251455

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

27. SHABRI BOND
BOR DKT. 00254654

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

28. MANUEL MENDOZA JR.
BOR DKT. 00255137

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.
29. CODY GRAY  
BOR DKT. 00255398

The claimant appealed a decision of the Appeal Tribunal dismissing his appeal as late without good cause through the Saturday of the week in which the determination was mailed.

30. KIMBERLY RICHARDSON  
BOR DKT. 00258929

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.

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

A-5 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. MACKENSEY RAYMOND  
BOR DKT. 00264799

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant had no attachment to the labor market and liable for non-fraud refund.

2. ROSEMARIE GRAGNANO  
BOR DKT. 00214650

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

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

A-6 AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW

1. GARY ZAZZI  
BOR DKT. 00253559

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

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant’s unemployment was not due to one of the COVID-19 related reasons identified in the CARES Act and a liability to a non-fraud refund.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW.

A-7 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW

1. VICTOR MANUEL LEBRON ENCARNACION

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

2. VICTOR MANUEL LEBRON ENCARNACION

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

3. ALEXANDER E WARGO

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

4. BRIA BROWNE

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

5. ANASTASIA SHARK

Claimant appealed a decision of the Appeal Tribunal holding a denial of a requested pre-date.

6. DONALD DEFEo

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to work and liability for non-fraud refund.
7. JANETTE BOLGIANI  BOR DKT. 00251523
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and a liability for a non-fraud refund.

8. DONNA CACCAITORE  BOR DKT. 00234437
Claimant appealed the decision of the Appeal Tribunal which held that the matter has been resolved based on Division records and the claimant’s right to appeal from the Deputy and Director’s re-determinations remain inviolate.

9. DEBRA WOOLF  BOR DKT. 00263970
Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund.

10. RAYMOND SCHAFFER  BOR DKT. 00214008
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

11. HELENA JONES  BOR DKT. 00251421
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, ineligible for benefits under availability for work, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant’s unemployment was not due to one of the COVID-19 related reasons identified in the CARES Act and a liability to a non-fraud refund.

12. PRITPAL MINOCHA  BOR DKT. 00254410
Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

13. LUIS MOLINA  BOR DKT. 00253015
Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

14. TANIA SANTIAGO  BOR DKT. 00239769
Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.
ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW.

A-8 REVERSED DECISIONS OF THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW

1. DEBRA WOOLF 
BOR DKT. 00263973

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REVERSED DECISION OF THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW.

SECTION B-MISCELLANEOUS MATTERS/CASES FOR DISCUSSION:

B-1 MAGDA TORRES BOR DKT. 00251718

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily. (Appellate Specialist Zola)

ACTION: BOARD VOTED TO REVERSE THE DECISION OF THE APPEAL TRIBUNAL AND HOLD NO DISQUALIFICATION OF BENEFITS UNDER N.J.S.A.43:21-5(a), AS THE CLAIMANT’S LEAVING WAS WITH GOOD CAUSE ATTRIBUTABLE TO THE WORK.

B-2 TAYYABA ZAKIR BOR DKT. 00251496

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work and a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant’s unemployment was not due to one of the COVID-19 related reasons. (Appellate Specialist Jackson)

ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY TO ASCERTAIN WHETHER THE CLAIMANT IS ELIGIBLE FOR REGULAR OR PANDEMIC UNEMPLOYMENT
ASSISTANCE (PUA) BENEFITS BEGINNING FROM MARCH 2020.