



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  
AUGUST 26, 2020**

**NANCY HUNT, ACTING CHAIRPERSON**

**WILLIAM SCAGLIONE, MEMBER**

**SHARAHZAD A. LEDAN, ACTING EXECUTIVE SECRETARY**

**BOARD OF REVIEW MEETING AUGUST 26, 2020**

**AUGUST 26, 2020**

.....  
**A regular meeting of the Board of Review was held on Wednesday, August 26, 2020 at 10:00 a.m., via conference call, in Trenton, New Jersey**

**PRESENT: Nancy Hunt, Acting Chairperson, William Scaglione, Member, Sharahzad A. Ledan, Acting Executive Secretary, Keith Austin, Director.**

**In accordance with L1975, c.231, the Acting 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 – AUGUST 26, 2020 MEETING

### BOARD MINUTES:

Submitted for adoption are the minutes of the August 12, 2020 Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE AUGUST 12, 2020 BOARD MEETING.**

### OLD BUSINESS:

**1. DAKOTA THIBODEAU** **BOR DKT. 00211401**

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work. **(This case was tabled in the meeting of August 12, 2020 for further review and to address claimant's contention that he did not have a fair hearing)**

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

**2. DIANE MILLER** **BOR DKT. 00200597**

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for benefits for refusing suitable work. **(This case was tabled in the meeting of May 20, 2020 to send a letter to the claimant asking for additional information concerning when the alleged letters were received)**

**ACTION: BOARD VOTED TO DISMISS THE APPEAL AS LATE WITHOUT GOOD CAUSE.**

**3. LORIE ROBINSON** **BOR DKT. 00210382**

Claimant filed an appeal to a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work. **(This case was tabled in the meeting of July 15, 2020. To discuss the disposition of PUA related cases)**

**ACTION: BOARD VOTED TO REMAND TO THE APPEAL TRIBUNAL FOR AN AUDIBLE RECORD.**

## BOARD OF REVIEW MINUTES – AUGUST 26, 2020 MEETING

### SECTION A – HEARING MATTERS

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

1. RYAN CONROY BOR DKT. 00210846

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

2. CHRISTOPHER ERRICKSON BOR DKT. 00211593

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

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

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

1. YARLARIS RODRIGUEZ BOR DKT. 00211664

Employer appealed a decision of the Appeal Tribunal dismissing the claimant's appeal as late without good cause.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A VACATED APPEAL TO THE BOARD OF REVIEW.**

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

1. NASHIMA THOMAS BOR DKT. 00183288

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

2. HEATHER PEKARSKY BOR DKT. 00211226

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

## BOARD OF REVIEW MINUTES – AUGUST 26, 2020 MEETING

3. NIEL BENNETT BOR DKT. 00211290

Claimant filed an appeal to a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work and the claimant not liable for the non-fraud refund.

4. YESSENIA ACOSTA BOR DKT. 00206369

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

5. MICHAEL UCCI BOR DKT. 00207436

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

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS A DISMISSAL OF LATE APPEALS TO THE BOARD OF REVIEW.**

### A-4 DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW

1. JESSICA BORDEN BOR DKT. 00203014

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

2. NAIL DAGHSTANI BOR DKT. 00195930

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

3. BRANDON ELIEFF BOR DKT. 00195125

Claimant is requesting reconsideration of the Board of Review decision affirming the Appeal Tribunal's decision denying the request to reopen for failing to register for the hearing.

4. JENNIFER POLANCO BOR DKT. 00202359

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

## BOARD OF REVIEW MINUTES – AUGUST 26, 2020 MEETING

5. XAVIA LANGSTON BOR DKT. 00160104

Claimant is requesting reconsideration of the Board of Review decision affirming the Appeal Tribunal's decision holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work from July 8, 2018.

6. MICHAEL COSENZA BOR DKT. 00209393

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

7. JOCELYN WADE BOR DKT. 00206242

Claimant is requesting reconsideration of the Board of Review decision affirming the Appeal Tribunal's decision holding the claimant liable for a non-fraud refund.

8. CIARA MANN BOR DKT. 00200096

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

9. TIKEYA SIMPSON BOR DKT. 00206891

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

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

### A-5 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. JON STAPLES BOR DKT. 00211448

Claimant appealed a decision of the Appeal Tribunal holding no disqualification for leaving the work voluntarily and holding the claim invalid as the claimant is not unemployed and liable for non-fraud refund.

## BOARD OF REVIEW MINUTES – AUGUST 26, 2020 MEETING

2. TAMIRA JOHNSON BOR DKT. 00199968

Employer appealed a decision of the Appeal Tribunal denying the request to reopen the matter.

3. LORI BRADLEY BOR DKT. 00206304

Claimant appealed a decision of the Appeal Tribunal holding the claimant disqualified for benefits for leaving work voluntarily without good cause attributable to the work. **(Board voted to Remand this case to the Appeal Tribunal)**

4. EMILY JACOBY BOR DKT. 00211421

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

5. SUSAN WALLER BOR DKT. 00211982

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

6. VANIAH CAMPBELL BOR DKT. 00208794

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

7. ALIYY RUFF BOR DKT. 00208910

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

8. RAY QASSIS BOR DKT. 00212233

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

9. YULIA MEDYAKOVA BOR DKT. 00204010

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

## BOARD OF REVIEW MINUTES – AUGUST 26, 2020 MEETING

### 10. ROSSON ALFORD

BOR DKT. 00208990

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

### 11. ROSSON ALFORD

BOR DKT. 00208991

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

### 12. LUCY PURIFICATION

BOR DKT. 00211571

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work. **(Board voted to Remand this case to the Appeal Tribunal to confirm whether the claimant was on a leave of absence and to put the claimant on notice regarding being not unemployed)**

### 13. COURTNEY RAMOS

BOR DKT. 00205352

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

### 14. JERE SHAW

BOR DKT. 00211444

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

### 15. STEVEN DEHAAN

BOR DKT. 00212419

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

### 16. GUISEPPE CALICCHIO

BOR DKT. 00211110

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



## BOARD OF REVIEW MINUTES – AUGUST 26, 2020 MEETING

**17. YU GUDELLI**

BOR DKT. 00211370

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

**18. RASHAAN COMMINGS**

BOR DKT. 00212119

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

**19. ALFRED APPIAH**

BOR DKT. 00212210

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

**20. MELISSA HAGEN**

BOR DKT. 00207310

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

**21. LIZA HARRIS**

BOR DKT. 00185292

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

**22. KATHERINE MEDRANO**

BOR DKT. 00211327

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

**23. SHEENA BROWN**

BOR DKT. 00208046

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

**24. YOLANDA SANABRIA**

BOR DKT. 00212408

Claimant appealed a decision of the Appeal Tribunal holding a period of ineligibility as the claimant is not unemployed.

## BOARD OF REVIEW MINUTES – AUGUST 26, 2020 MEETING

**25. MAUREEN NEPVEU**

BOR DKT. 00211456

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

**26. NATASHA WALKER**

BOR DKT. 00207101

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

**27. SUSAN PEREZ**

BOR DKT. 00212439

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

**28. CARLA MURPHY**

BOR DKT. 00212645

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

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

### **A-6 REVERSALS OF APPEAL TRIBUNAL DECISIONS**

**1. TYRONE EVANS**

BOR DKT. 00207693

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

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

### **EXECUTIVE DECISION:**

**10:33 THE BOARD VOTED TO GO INTO EXECUTIVE SESSION FOR LEGAL ADVICE REGARDING THE MICHAEL KELLY CASE.**

**10:44 THE BOARD VOTED TO COME OUT OF EXECUTIVE SESSION AND RETURN TO THE OPEN PUBLIC MEETING.**

## BOARD OF REVIEW MINUTES – AUGUST 26, 2020 MEETING

### A-7 REQUESTS FOR RECONSIDERATION FROM THE SUPERIOR COURT

1. MICHAEL KELLY BOR DKT. 00204639

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily. **(The Attorney General's Office is representing the Board in this matter. Appellant is seeking a remand on the basis that he did not participate in the hearing before the Appeal Tribunal, because he did not receive notice).**

**ACTION: BOARD VOTED TO RECONSIDER A MOTION FOR A REMAND FROM SUPERIOR COURT.**

### A-8 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. NIKITA JANODIA BOR DKT. 00207924

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily and no liability for a non-fraud refund.

2. JAMELA THOMAS BOR DKT. 00211960

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

3. THOMAS MCDERMOTT BOR DKT. 00203500

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

4. CHRISTINA CANDELARIA BOR DKT. 00211010

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

5. SARAH BOAS BOR DKT. 00210214

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

## BOARD OF REVIEW MINUTES – AUGUST 26, 2020 MEETING

**6. DEBORAH BOHRMAN** BOR DKT. 00211126

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

**7. LAURA HEANYA-BURCHER** BOR DKT. 00211341

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

**8. DINA KHEIR** BOR DKT. 00211681

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

**9. MISTY LEE** BOR DKT. 00211388

Employer appealed a decision of the Appeal Tribunal holding claimant filed a late appeal with good cause, no disqualification of benefits for leaving work voluntarily without good cause attributable to such work, and no disqualification of benefits for misconduct connected with the work.

**10. MEGAN CANNON** BOR DKT. 00211505

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility as the claimant was not unemployed and holding a liability for non-fraud refund.

**11. JOHN KEOGH** BOR DKT. 00203173

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

**12. ELSIE VELEZ** BOR DKT. 00211397

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

**13. WILLIAM BURNS** BOR DKT. 00211722

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

## BOARD OF REVIEW MINUTES – AUGUST 26, 2020 MEETING

**14. MERCEDITO PLASENCIA VALDEZ** BOR DKT. 00207965

Claimant appealed decision of the Appeal Tribunal dismissing the appeal for failure to register.

**15. JANIS WILLIAMS** BOR DKT. 00211768

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

**16. JENNIFER SCAGNELLI** BOR DKT. 00211337

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

**17. ANDREW SUSCREBA** BOR DKT. 00210215

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

**18. LAURA AGUAYO-PALMA** BOR DKT. 00211672

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

**19. FREDDY MORA** BOR DKT. 00211578

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

**20. MICHAEL VISINSKI** BOR DKT. 00212079

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

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

## BOARD OF REVIEW MINUTES – AUGUST 26, 2020 MEETING

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

**B-1** LUZ GALICIA BOR DKT. 00202824

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

**ACTION: BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL ON THE TIMELINESS OF THE APPEAL AND HOLD CLAIMANT’S APPEAL LATE WITH GOOD CAUSE AND REMAND FOR THE MERITS.**

**B-2** 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 such work. (**Appellate Specialist Matos**)

**ACTION: BOARD VOTED TO TABLE THIS CASE TO A FUTURE AGENDA.**

**B-3** ANDREA HARVEY BOR DKT. 00209371

Claimant appealed decision of the Appeal Tribunal dismissing the appeal as it was filed late without good cause. (**Appellate Specialist Alverio**)

**ACTION: BOARD VOTED TO DISMISS THIS CASE AND HOLD THE CLAIMANT’S APPEAL AS LATE WITHOUT GOOD CAUSE TO THE BOARD OF REVIEW.**

**B-4** MARY MELEIKA BOR DKT. 00211549

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 ON THE RECORD.**

## BOARD OF REVIEW MINUTES – AUGUST 26, 2020 MEETING

**B-5** KAREN SERRILL

BOR DKT. 00178589

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for discharge from the work due to gross misconduct connected to such work. (**Appellate Specialist Alverio**)

**ACTION: BOARD VOTED TO DISMISS THE CLAIMANT'S APPEAL AS LATE WITHOUT GOOD CAUSE TO THE BOARD OF REVIEW.**

**B-6** HOLLY BAILEY

BOR DKT. 00212241

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

**ACTION: BOARD VOTED TO MODIFY THE APPEAL TRIBUNAL DECISION AND HOLD THAT IT'S STILL A VOLUNTARY QUIT BUT IT HAS BEEN TOLLED OUT.**

**B-7** ALIA BAEIRA

BOR DKT. 00207690

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

**ACTION: BOARD VOTED TO DISMISS THE CLAIMANT'S APPEAL AS A LATE WITHOUT GOOD CAUSE APPEAL TO THE BOARD.**

**B-8** KATHERINE RAMIREZ

BOR DKT. 00211801

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work. (**Appellate Specialist Hart**)

**ACTION: BOARD VOTED TO REMAND FOR ADDITIONAL TESTIMONY TO FIND OUT IF THE CLAIMANT WAS ON A LEAVE OF ABSENCE AND TO PUT HER ON NOTICE FOR THE ISSUE OF WHETHER OR NOT THE CLAIMANT WAS NOT UNEMPLOYED.**