BOARD OF REVIEW

MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
OCTOBER 13, 2021

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

ANDREA JACKSON, ACTING EXECUTIVE SECRETARY
A regular meeting of the Board of Review was held on Wednesday, October 13, 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 MINUTES:

Submitted for adoption are the minutes of the September 29, 2021 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE SEPTEMBER 29, 2021 BOARD MEETING.

OLD BUSINESS:

1. IAN MCLAY  BOR DKT. 00238800

Claimant appealed a decision of the Appeal Tribunal holding the claimant 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 C.A.R.E.S. Act and liability for a non-fraud refund.  (This case was tabled in the meeting of September 29, 2021 for further review of additional information submitted by the claimant’s attorney.)

ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY.

2. YULY LENIS  BOR DKT. 00241738

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.  (This case was tabled in the meeting of September 29, 2021 for further review of Division records.)

ACTION: BOARD VOTED TO AFFIRM THE DECISION OF THE APPEAL TRIBUNAL WITH AN ADDITIONAL STATEMENT REGARDING THE DEPUTY’S RE-DETERMINATION.

3. CHANTALAE CLOUD  BOR DKT. 00238295

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and imposing a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant’s unemployment was not due to one of the COVID-19 related reasons.  (This case was tabled in the
meeting of September 1, 2021 to send correspondence to the claimant to determine why the claimant failed to register to participate in the hearing.)

**ACTION:** BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL TO GIVE THE CLAIMANT ANOTHER OPPORTUNITY TO REGISTER AND PARTICIPATE IN A HEARING.

**SECTION A – HEARING MATTERS**

**A-1 VACATED APPEALS TO THE BOARD OF REVIEW**

1. SAMANTHA DUPREY   BOR DKT. 00201367
   Claimant’s letter was processed as an appeal to a decision of the Appeal Tribunal.

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

**A-2 DISMISSALS OF LATE APPEALS OR NON-JUSTICIABLE ISSUES TO THE BOARD OF REVIEW**

1. CAROLYN BATTAGLIA   BOR DKT. 00202389
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits under misconduct connected with the work.

2. NOSIRAT KAREEM   BOR DKT. 00230427
   Claimant appealed a decision of the Appeal Tribunal denying a request that the decision dismissing the appeal be vacated.

3. TIFFANY WALKER   BOR DKT. 00238306
   Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under reasonable assurance and a liability to a non-fraud refund.

4. MICHAEL MOHRLE   BOR DKT. 00226380
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.
5. ARKEEMO MATOS  
BOR DKT. 00211592
Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.

6. CHERYL WEDDINGTON  
BOR DKT. 00241113
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.

7. JENNIFER RAMPOLLA  
BOR DKT. 00225464
Claimant appealed a decision of the Appeal Tribunal holding the regular unemployment claim invalid.

8. NAQUEE TAYLOR  
BOR DKT. 00241186
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 not ineligible for Pandemic Unemployment Assistance (PUA) benefits.

9. JAYNA GATHERS  
BOR DKT. 00219347
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 DISMISSALS OF LATE APPEALS OR NON-JUSTICIABLE ISSUES TO THE BOARD OF REVIEW.

A-3 DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW

1. WAYNE TAGLIABOSCHI  
BOR DKT. 00034625
Claimant is requesting reconsideration of the Board of Review’s decision affirming the Appeal Tribunal’s decision denying the claimant’s request for a waiver of a refund.

2. WILLIAM DEROBERTS  
BOR DKT. 00234187
Claimant is requesting reconsideration of the Board of Review’s decision affirming the Appeal Tribunal’s decision which held the claimant ineligible for Extended Benefits (EB) as the claimant did not establish twenty base weeks nor earn forty times the weekly benefit rate.
ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW.

A-4 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. MIKE BRANDSDORFER BOR DKT. 00229717
   Deputy appealed the decision of the Appeal Tribunal holding the claimant not ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant’s unemployment was due to one of the COVID-19 related reasons and not liable for a non-fraud refund.

2. MIKE BRANDSDORFER BOR DKT. 00229720
   Deputy appealed the decision of the Appeal Tribunal holding the claimant not ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant’s unemployment was due to one of the COVID-19 related reasons.

3. NICOLAS CAVALLARO BOR DKT. 00240179
   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 dismissing the claimant’s availability for work as academic as a voluntary leaving disqualification was still in effect.

4. MILTON PEÑA BOR DKT. 00239915
   Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily, and the claimant was not liable for a non-fraud refund.

5. ALEXUS CLARK BOR DKT. 00206880
   Claimant appealed a decision of the Appeal Tribunal holding the claimant disqualified for benefits for leaving work voluntarily without good cause attributable to such work.

6. LAWRENCE NWUDE BOR DKT. 00241890
   Claimant appealed 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 for a non-fraud refund.
7. JENNIFER SIMATOS
BOR DKT. 00242163

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

8. DASOM OH
BOR DKT. 00242815

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 a non-fraud refund.

9. NICOLE SCHWARTZBAD
BOR DKT. 00242401

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work, no disqualification of benefits for refusing suitable work, the claimant eligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant’s unemployment was due to one of the COVID-19 related reasons, and the claimant not liable for a non-fraud refund. (Board voted to table this case for further review).

10. TERRACE LAKE
BOR DKT. 00243369

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.

11. ERIC POOLER
BOR DKT. 00241814

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.

12. JENNIFER PETRISKO
BOR DKT. 00242117

Claimant appealed 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 for a non-fraud refund. (Board voted to table this case for further review).

13. DAVIAN KNOTT
BOR DKT. 00243190

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

Employer appealed the decision of the Appeal Tribunal holding the claimant not unemployed, and liable for a non-fraud refund. (Board voted to table this case for further review).

15. THOMAS PREISNER

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

16. EDISON FELIZ

Claimant appealed 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 liable for refund.

17. CARLOS AGUILAR

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

18. JOYCE FIERSTAT

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, and ineligible for Pandemic Unemployment Assistance (PUA).

19. SAMANTHA LOUIS

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

20. JEAN DESTINE

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.
21. THELMA BRIDGES  BOR DKT. 00244686

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

22. SHANI SIMMONS  BOR DKT. 00233418

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

23. RABIAH HOGANS  BOR DKT. 00225751

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

24. JEANETTE COLEMAN  BOR DKT. 00238479

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

25. ELLIOTT SCOTT  BOR DKT. 00218860

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

26. JACQUELINE CURCIO  BOR DKT. 00241515

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.

27. KENNETH DURUJI  BOR DKT. 00242310

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility for Extended Benefits as the claimant did not establish 20 base week or earn 40 times the weekly benefit rate during the base year period on the claim.

28. JAGER IEMMELO  BOR DKT. 00242608

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.
29. MAHA TADROUS  
BOR DKT. 00243365

Claimant appealed the decision of the Appeal Tribunal disputing the monetary entitlement on a valid claim.

30. CSAKYEWI WILLIAMS  
BOR DKT. 00243679

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, imposing a denial for Pandemic Unemployment Assistance (PUA), and a liability for a non-fraud refund.

31. JOYCE ICE  
BOR DKT. 00235279

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

32. MONICA FRANCOIS  
BOR DKT. 00244549

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.

33. ROBERTO CARNERO  
BOR DKT. 00244970

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

34. SUSAN JACOBI  
BOR DKT. 00244980

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

35. JACOB AUGENSTEIN  
BOR DKT. 00243585

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

36. LISA RAMOS  
BOR DKT. 00244350

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 a liability to a non-fraud refund.
37. ALEXSANDRA HICKMAN
BOR DKT. 00243767

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

38. GREGORIO VELAZQUEZ
BOR DKT. 00244266

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

39. RUTH GAMBERALE
BOR DKT. 00244284

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.

40. PATRICIA TROPEA
BOR DKT. 00235005

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

41. THEODORE STURM, JR.
BOR DKT. 00221814

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

42. KEVIN PEPITONE
BOR DKT. 00242853

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

43. PHILIP BRINDLEY
BOR DKT. 00241248

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

44. VIKTORIYA SUSKO
BOR DKT. 00237461

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits in New Jersey
from 07/05/20 on the ground that the claimant had benefit entitlement in the State of New York and liable for a non-fraud refund.

**ACTION:** BOARD VOTED TO ACCEPT THE REMAINING 41 CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS.

**A-5** **AFFIRMED AND REVERSED DECISIONS TO THE BOARD OF REVIEW**

1. **JAY MEYERS**
   
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification for benefits for refusing suitable work and a liability to a non-fraud refund.

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

**ACTION:** BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMED AND REVERSED DECISIONS TO THE BOARD OF REVIEW.

**A-6** **AFFIRMED AND MODIFIED DECISIONS TO THE BOARD OF REVIEW**

1. **GARIBALDY VICTORIO**
   
   Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for 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 liable for a non-fraud refund.

2. **JANCEY VALLE**
   
   Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.
3. KATHERYN PEREZ BOR DKT. 00243397

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 a liability for a refund.

**ACTION:** BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMED AND MODIFIED DECISIONS TO THE BOARD OF REVIEW.

A-7 REVERSALS OF APPEAL TRIBUNAL DECISIONS

1. SHIAM HAZARI BOR DKT. 00237366

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant may be eligible for unemployment benefits in another State and liability for non-fraud refund.

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

A-8 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. MARIA POLANCO BOR DKT. 00232704

Claimant appealed a 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 under the CARES Act, and liable for a non-fraud refund.

2. MARIZOIL DELOSSANTOS BOR DKT. 00243425

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

3. JESSICA JOHNSON BOR DKT. 00240890

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work and a liability to a non-fraud refund.
4. SUSAN LEONARD  BOR DKT. 00239952

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 Pandemic Unemployment Assistance (PUA) benefits as the claimant’s unemployment was not due to one of the COVID-19 related reasons identified in the C.A.R.E.S. Act and liability for non-fraud refund.

5. CANDIDA LANTIGUA  BOR DKT. 00239248

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 C.A.R.E.S. Act and liability for a non-fraud refund.

6. KATHERINE ALMONTE  BOR DKT. 00237975

Claimant appealed a decision of the Appeal Tribunal holding the claimant eligible for Pandemic Unemployment Assistance (PUA) benefits.

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

A-9 REQUESTS FOR RECONSIDERATION FROM THE SUPERIOR COURT

1. MAYLIN FELIZ  BOR DKT. 00210996

Superior Court remanded the matter of the claimant’s separation for additional testimony.

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

2. CINDY DEFORGE  BOR DKT. 00217190

Claimant appealed the Appeal Tribunal decision holding the unemployment claim valid with a weekly benefit rate of $263.00.

ACTION: BOARD VOTED TO REQUEST THIS CASE BACK FROM THE SUPERIOR COURT IN ORDER TO REMAND THE
MATTER TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY.

A-10  REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. MARIUSZ DABROWSKI  BOR DKT. 00231119

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Extended Benefits (EB).

2. KOFI ADDO  BOR DKT. 00239483

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

3. PAMELA WAEHLER  BOR DKT. 00238035

Claimant appealed the Appeal Tribunal decision holding the regular unemployment claim invalid, imposing an ineligibility for Pandemic Unemployment Assistance (PUA), and a liability to a non-fraud refund.

4. ELVIA VARGAS  BOR DKT. 00241825

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid, the Pandemic Unemployment Assistance (PUA) claim invalid, and liable for a non-fraud refund.

5. JOHN MALMENDIER  BOR DKT. 00238400

Claimant appealed the Appeal Tribunal decision holding the unemployment claim valid with a weekly benefit rate of $541.00.

6. MONALISA BENBOW  BOR DKT. 00241675

Claimant appealed 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 for a non-fraud refund.

7. TUHINARA TUFU  BOR DKT. 00242086

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, an ineligibility for Pandemic Unemployment Assistance and a liability to a non-fraud refund.
8. TERRENCE HICKEY  BOR DKT. 00242247

Claimant appealed 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 for a non-fraud refund.

9. DEENA SLAIN  BOR DKT. 00243337

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

10. GABRIELLA DAVID  BOR DKT. 00242741

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

11. ROSA PEREZ  BOR DKT. 00242249

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.

12. SONIA PEREZ  BOR DKT. 00243435

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

13. MINSOON LEE  BOR DKT. 00244360

Claimant appealed a decision of the Appeal Tribunal holding a liability to a refund.

14. EWA MULARCZYK  BOR DKT. 00240189

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

15. ADRIENNE CARTER  BOR DKT. 00243677

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for benefits for leaving work voluntarily without good cause attributable to the work and a liability to a non-fraud refund.
16. DUGLAS AMAYA  
BOR DKT. 00243046

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

17. JOSEPH FONTANA  
BOR DKT. 00239535

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility for Extended Benefits as the claimant did not establish 20 base week or earn 40 times the weekly benefit rate during the base year period on the claim.

18. DANA TERHUNE  
BOR DKT. 00240432

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

19. MAUREEN BALAWICH  
BOR DKT. 00240894

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

20. FATME ORDOÑEZ GUAMAN  
BOR DKT. 00241125

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

21. PALOMA HERNANDEZ  
BOR DKT. 00241735

Claimant appealed a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant may be entitled to regular unemployment benefits in another state and a liability for a non-fraud refund.

22. MICHAEL BIANCHI  
BOR DKT. 00235477

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 C.A.R.E.S. Act and a liability for a non-fraud refund.

23. ZANIYA WILLIAMS  
BOR DKT. 00242158

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.
24. NOEL THOMAS SOTO  
BOR DKT. 00242326

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 C.A.R.E.S. Act and a liability for non-fraud refund.

25. RITU LUTHRA  
BOR DKT. 00240337

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 C.A.R.E.S. Act and a liability for non-fraud refund.

26. NAIDAA AHMED  
BOR DKT. 00242912

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed from June 14, 2020 through December 18, 2020, ineligible for benefits under availability for work from June 14, 2020 through July 11, 2020, ineligible for benefits under ability to work from September 24, 2020 through March 20, 2021, ineligible for benefits from September 20, 2020 through September 23, 2020 as there were less than 7 eligible calendar days, a denial of Pandemic Unemployment Assistance (PUA) benefits from June 14, 2020 through March 20, 2021, as the claimant’s unemployment was not due to one of the COVID-19 related reasons, and liable for an agency refund.

27. DAINY TAPIA  
BOR DKT. 00239660

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

28. THOMAS PANDORF  
BOR DKT. 00243542

Claimant appealed 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 liable for refund.

29. MARIO BLANCO  
BOR DKT. 00243923

Claimant appealed a decision of the Appeal Tribunal holding a regular claim invalid.
30. FRANCISCO CRUZ
BOR DKT. 00244140

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

31. HAMINGIA RODAS
BOR DKT. 00230804

Claimant appealed the 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.

A-11 REVERSED AND REMANDED APPEALS TO THE APPEAL TRIBUNAL

1. DAVID YOUNG
BOR DKT. 00241355

Claimant appealed a decision of the Appeal Tribunal holding the claimant 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 C.A.R.E.S. Act and liability for a non-fraud refund.

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

A-12 AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. ALONI LEE
BOR DKT. 00235915

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 a liability to a non-fraud refund.

2. FELICIA VARGAS
BOR DKT. 00242676

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.
3. CURTIS POWELL  
BOR DKT. 00242018

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 C.A.R.E.S. Act and liability for a non-fraud refund.

4. SANDY SANTIAGO  
BOR DKT. 00242277

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 from June 28, 2020, as the claimant’s unemployment was not due to one of the COVID-19 related reasons and liability for a non-fraud refund.

5. MAGGIE COTTER  
BOR DKT. 00239251

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

6. GIOVANNY UTRERAS  
BOR DKT. 00225858

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, ineligibility of benefits under availability for 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 identified under the C.A.R.E.S. Act, and liability for a non-fraud refund.

7. CATRINA YOUNGBLOOD  
BOR DKT. 00234024

Claimant appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily as the claimant had tolled the disqualification with Employer #2, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant qualified for unemployment benefits, and claimant liable for a non-fraud refund.

**ACTION:** BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL.
A-13 MODIFIED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. VINCENT BUTTI BOR DKT. 00242801

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, ineligible for Pandemic Unemployment Assistance (PUA) and liable for a non-fraud refund. Assistance (PUA) benefits as the claimant qualified for unemployment benefits, and claimant liable for a non-fraud refund.

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

SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 HAROLD KRAMER BOR DKT. 00242560

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund. (Appellate Specialist Jackson)

ACTION: BOARD VOTED TO TABLE THIS CASE TO CONTACT THE DEPUTY TO ADJUDICATE THE CLAIMANT’S ENTITLEMENT TO PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS ON THE CLAIM DATED MARCH 15, 2020.

B-2 GERARD SHANAHAN BOR DKT. 00243247

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant may be eligible for unemployment benefits in another State and liability for a non-fraud refund. (Appellate Specialist Alverio)

ACTION: BOARD VOTED TO REVERSE THE DECISION OF THE APPEAL TRIBUNAL AND HOLD THE CLAIMANT ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS AND NOT LIABLE FOR A NON-FRAUD REFUND.
Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant may be eligible for unemployment benefits in another State and liability for a non-fraud refund. (Appellate Specialist Alverio)

**ACTION:** BOARD VOTED TO REVERSE THE DECISION OF THE APPEAL TRIBUNAL AND HOLD THE CLAIMANT ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS AND NOT LIABLE FOR A NON-FRAUD REFUND.

Claimant appealed 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 liable for an agency refund. (Appellate Specialist Jackson)

**ACTION:** BOARD VOTED TO REVERSE THE DECISION OF THE APPEAL TRIBUNAL AND HOLD THE CLAIMANT ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS AND NOT LIABLE FOR AN AGENCY REFUND.

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

**ACTION:** BOARD VOTED TO AFFIRM THE DECISION OF THE APPEAL TRIBUNAL.
B-6  ANA MARIA ALBORNOZ  BOR DKT. 00227212

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and liable for a non-fraud refund.  (Appellate Specialist Zola)

ACTION:  BOARD VOTED TO TABLE THIS CASE TO SEND A LETTER TO THE CLAIMANT REGARDING THE REASON THE CLAIMANT FAILED TO REGISTER AND PARTICIPATE IN THE REMANDED HEARING.

B-7  SAMANTHA O’BRIEN  BOR DKT. 00245118

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.  (Appellate Specialist Jackson)

ACTION:  BOARD VOTED TO AFFIRM THE DECISION OF THE APPEAL TRIBUNAL WITH ADDITIONAL STATEMENTS REGARDING THE MEDICAL EVIDENCE SUBMITTED FROM THE CLAIMANT AND THE REASON FOR THE DISQUALIFICATION.

B-8  EMANUEL DEVALLE  BOR DKT. 00242701

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

ACTION:  BOARD VOTED TO REVERSE THE DECISION OF THE APPEAL TRIBUNAL WITH RESPECT TO THE TIMELINESS OF THE APPEAL, AND TO REMAND THE MATTER OF WHETHER THE CLAIMANT IS LIABLE FOR A NON-FRAUD REFUND.