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BOARD OF REVIEW

**MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
JULY 24, 2019**

JOSEPH P. SIEBER, CHAIRPERSON

NANCY W. HUNT, VICE-CHAIRPERSON

BOARD OF REVIEW MINUTES – JULY 24, 2019 MEETING

BOARD MINUTES:

Submitted for adoption are the Board of Review Minutes of its meeting of July 17, 2019.

ACTION: BOARD VOTED TO ADOPTED THE MINUTES OF THE JULY 17, 2019 MEETING.

SECTION A – HEARING MATTERS

OLD BUSINESS: (CASES TABLED FROM JULY 17, 2019 BOARD MEETING)

1. IVETTE M CALO BOR DKT. 00140001

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for gross misconduct connected with the work on 12/03/2017.

2. NICOLE LAWRIE-JACKSON BOR DKT. 00140239

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for gross misconduct connected with the work on 12/03/2017.

3. CECELIA BETHEA BOR DKT. 00143116

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for gross misconduct connected with the work on 12/24/2017.

4. MARC WILLIAMS BOR DKT. 00181040

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

ACTION: BOARD VOTED TO FORWARDED THE ABOVE CASES TO THE APPEAL TRIBUNAL TO BE REOPENED BY THEM AND GIVEN TO DIFFERENT EXAMINERS.

A-1 DENIALS OF RECONSIDERATION REQUESTS TO THE BOARD OF REVIEW

1. DIANA GIACCARDO BOR DKT. 00174281

Claimant requested reconsideration of the decision of the Board of Review which affirmed the Appeal Tribunal decision holding the claimant ineligible for benefits and liable for refund.

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2. MICHELE RODRIGUEZ BOR DKT. 00172452

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

3. DOLORES ALVAREZ BOR DKT. 00154512

Claimant requested reconsideration of the decision of the Board of Review denying the request to reopen a late appeal to the Board.

4. JALEXI GUERRERO BOR DKT. 00176951

Claimant requested reconsideration of the decision of the Board of Review which affirmed the Appeal Tribunal decision holding the claimant left work voluntarily without good cause.

ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS DENIALS OF RECONSIDERATION TO THE BOARD OF REVIEW.

A-2 DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW

1. JOHN HOGAN, JR. BOR DKT. 00177976

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

2. CARMEN MONGELLI BOR DKT. 00114018

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

3. PEGGY DICKERSON BOR DKT. 00171842

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

4. RAMESHCHANDRA SHAH BOR DKT. 00144861

Claimant appealed the decision of the Appeal Tribunal mailed 3/26/18 which dismissed the appeal as there was no justiciable issue.

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5. CEREIDA MONTERROSA BOR DKT. 00181226

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for refusing suitable work.

6. ROBIN MILTON BOR DKT. 00164354

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

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

A-3 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. SAEED PLEASANT BOR DKT. 00177795

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

2. NELSON VALDEZ PENA BOR DKT. 00180848

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

3. SAEED PLEASANT BOR DKT. 00180908

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

4. JONATHAN MARTINEZ BOR DKT. 00180991

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

5. JACQUELINE CHAMBERS BOR DKT. 00181125

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

6. DOMINIC MINTER BOR DKT. 00181183

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

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7. SHAQUERA JASPER BOR DKT. 00173836

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

8. THELMA FALCONE BOR DKT. 00177230

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

9. KIYONNA SMALLS NAPIER BOR DKT. 00179488

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

10. ABUWI JOHNSON BOR DKT. 00180585

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

11. ALBERTO BATISTA JIMENEZ BOR DKT. 00180198

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

12. MICHAEL MC GAVISK BOR DKT. 00181309

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

13. EMMANUEL PHILOGENE BOR DKT. 00181438

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

14. DORIS VANDUNK BOR DKT. 00181167

The claimant of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

15. ALISA HOOD BOR DKT. 00181512

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

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16. AHMED ELANSARY BOR DKT. 00181410

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for benefits for refusing suitable work.

17. MARTIN MOUKON A EBONG BOR DKT. 00181467

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

18. JEIMI ULLOA BOR DKT. 00181113

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

19. GRACE MEARS BOR DKT. 00181082

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

20. BRANDI ROSSI BOR DKT. 00180978

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

21. MICHAEL HOWARD BOR DKT. 00180673

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

22. JULIUS JOHNSON BOR DKT. 00180490

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

23. THOMAS WATSON BOR DKT. 00179476

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

24. CHANDER MALHOTRA BOR DKT. 00176509

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

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25. ELIEZER RODRIGUEZ BOR DKT. 00175326

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

26. WILLIAM BROWN BOR DKT. 00176114

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

27. KATHLEEN MCCANN BOR DKT. 00181392

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

28. MARIA RICHARDS BOR DKT. 00179604

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

29. AMANDA RUSH BOR DKT. 00182029

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

30. STEVEN BROWN BOR DKT. 00181313

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

31. MANUEL BRITES BOR DKT. 00178756

Claimant appealed the decision of the Appeal Tribunal which held the claimant ineligible for disability benefits.

32. ALEX MARTINEZ BOR DKT. 00181616

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

ACTION: THE BOARD VOTED AND AGREED TO ACCEPT THE ABOVE CASES AS AFFIRMED APPEALS FROM APPEAL TRIBUNAL DECISIONS.

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A-4 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. KATHLEEN HAUSSER BOR DKT. 00180474

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

2. TAURUS LORD BOR DKT. 00179006

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

3. KURT TABARES BOR DKT. 00180683

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

4. HARPREET KAUR BOR DKT. 00179637

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

5. MARGARET VACCHIANO BOR DKT. 00180534

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed and the claim dated 03/03/2019 invalid, and liable for refund.

6. JOSE ORTIZ BOR DKT. 00166381

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

7. SHAVONNE KNOLTON BOR DKT. 00069020

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

8. GIUSEPPE PORCIELLO BOR DKT. 00177588

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

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

SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 GERMAN RAMIREZ-CATELLON BOR DKT. 00181296

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

ACTION: THE BOARD VOTED TO REVERSE THE TIMELINESS. APPELLATE SPECIALIST WILL WRITE DECISION ON THE MERITS. VQ DISQUALIFICATION.

B-2 DALE WORRELL BOR DKT. 00180328

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits for the week ending 4/20/2019 for reporting requirements.

ACTION: THE BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL AND HOLD THE CLAIMANT ELIGIBLE FROM APRIL 14, 2019 TO APRIL 20, 2019.

B-3 DESIREE WHITSETT BOR DKT. 00179132

Claimant request reconsideration of the BOR decision which affirmed the AT decision holding the claimant disqualified for voluntarily leaving work.

ACTION: THE BOARD VOTED TO DENY THE REQUEST TO REOPEN. PRIOR BOARD DECISION IS AFFIRMED.

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B-4 MICHAEL NELLER

BOR DKT. 00176408

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

ACTION: BOARD VOTED TO REWRITE AND REVERSE AND HOLD VQ DISQUALIFICATION.