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

JOSEPH P. SIEBER, CHAIRPERSON
NANCY W. HUNT, VICE-CHAIRPERSON
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 FORWARD 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.
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.
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.
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.
<table>
<thead>
<tr>
<th>Claimant</th>
<th>BOR DKT.</th>
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<tbody>
<tr>
<td>16. AHMED ELANSARY</td>
<td>00181410</td>
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<tr>
<td>Claimant appealed a decision of the Appeal Tribunal holding a disqualification for benefits for refusing suitable work.</td>
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<td>17. MARTIN MOUKON A EBONG</td>
<td>00181467</td>
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<td>Claimant appealed the decision of the Appeal Tribunal which denied the claimants request for a pre-date of an unemployment claim.</td>
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<td>18. JEIMI ULLOA</td>
<td>00181113</td>
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<td>Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.</td>
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<td>19. GRACE MEARS</td>
<td>00181082</td>
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<td>Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work.</td>
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<td>20. BRANDI ROSSI</td>
<td>00180978</td>
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<td>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.</td>
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<td>21. MICHAEL HOWARD</td>
<td>00180673</td>
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<td>Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.</td>
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<td>22. JULIUS JOHNSON</td>
<td>00180490</td>
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<td>Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.</td>
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<td>23. THOMAS WATSON</td>
<td>00179476</td>
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<td>Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.</td>
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<td>24. CHANDER MALHOTRA</td>
<td>00176509</td>
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<tr>
<td>Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.</td>
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</table>
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.
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.
**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.
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.