SECTION A – HEARING MATTERS

BOARD MINUTES:

Submitted for adoption are the Board of Review Minutes of its meeting of July 24, 2019

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF JULY 24, 2019 MEETING.

OLD BUSINESS:

1. BEVERLY COOPER BOR DKT. 00180473

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid. This case was added to this agenda for the Board to decide whether a memo should be issued to the Appeal Tribunal regarding the payment of benefits on the 2018 claim. It was discovered that the payment of benefits on the 2018 claim was resolved under Dkt. No.: 00182438.

ACTION: THIS CASE HAS BEEN RESOLVED. NO MEMO TO THE APPEAL TRIBUNAL WILL BE ISSUED.

A-1 ORDER VACATING BOARD OF REVIEW APPEALS

1. PATRICIA GEORGE BOR DKT. 00174974

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

ACTION: THE BOARD VOTED TO VACATE THE ABOVE APPEAL TO THE BOARD OF REVIEW.

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

1. JENNIFER ROSARIO BOR DKT. 00125121

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for severe misconduct connected with the work.
2. MELISSA SCOTT   BOR DKT. 00179498

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

3. DAWN MILLER    BOR DKT. 00177384

Claimant appealed late to the Appeal Tribunal decision holding the claim invalid and a liability to a non-fraud refund.

4. ELEANOR M COTTON   BOR DKT. 00000407

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

ACTION: THE BOARD VOTED TO ACCEPT THE CASE AS DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW.

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

1. KIMBERLY YONEZAWA   BOR DKT. 00173170

Claimant requests a reconsideration of the Board of Review decision affirming the Appeal Tribunals decision which held the claimant ineligible for benefits due to availability and a liability to a non-fraud refund.

2. JEFFIFER SARKISIAN    BOR DKT. 00175822

Claimant requests a reconsideration of the Board of Review decision affirming the Appeal Tribunal decision holding the claimant disqualified for benefits for leaving the job voluntarily.

3. MARIA RODRIGUEZ    BOR DKT. 00180231

Claimant requests a reconsideration of the Board of Review decision affirming the Appeal Tribunal decision which dismissed the claimant’s appeal as late without good cause.

4. LEON HINKLE JR    BOR DKT. 00168143

Claimant requests a reconsideration of the Board of Review decision which dismissed the claimant’s appeal due to the exhaustion of unemployment benefits.
5. KAREN ROLAND  
BOR DKT. 00165636

Claimant requests reconsideration of the Board of Review’s prior decision to deny the claimant’s request for a reopening as untimely.

6. JONATHAN M RICHARDSON  
BOR DKT. 00168338

Claimant requests a reconsideration of the Board of Review decision affirming the Appeal Tribunal decision holding the claimant disqualified for benefits for leaving the job voluntarily.

7. BLANCA I MELENDEZ  
BOR DKT. 00146506

Claimant requests a reconsideration of the Board of Review decision which dismissed the claimant’s appeal as late without good cause.


A-4 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. RONALD REID JR  
BOR DKT. 00181548

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

2. NANCY PIPER  
BOR DKT. 00180586

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

3. YEFFERSON GURIDY  
BOR DKT. 00181072

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

4. PHILIP KAY  
BOR DKT. 00181416

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.
5. BRIAN TAYLOR  BOR DKT. 00181020

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

6. DAVID SENIAKEVGCH  BOR DKT. 00181300

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

7. HENRY DIAZ-LOPEZ  BOR DKT. 00182376

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

8. NIDIA SANCHEZ  BOR DKT. 00182287

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

9. ELIOT VARGAS  BOR DKT. 00180980

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

10. JERROD CORLEY  BOR DKT. 00175180

Claimant appealed the Appeal Tribunal holding the unemployment claim invalid.

11. JEROME PRINGLE  BOR DKT. 00182194

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

12. KEYOSHA THORNTON  BOR DKT. 00181569

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

13. ROBERT MOSER  BOR DKT. 00181906

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
14. ERICKA O’HARRO  BOR DKT. 00182186

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and holding the denial of benefits due to the claimant’s availability.

15. FATIMA KLOBOCISTA  BOR DKT. 00180633

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under reporting requirements.

16. WINTER SKELLY  BOR DKT. 00157376

Employer appealed the decision of the Appeal Tribunal which held the claimant eligible for disability benefits.

17. OSVALDO LISOJO  BOR DKT. 00173750

Claimant appealed the decision of the Appeal Tribunal holding appeal late with good cause and holding a disqualification for voluntarily leaving.

18. LINDA GUIDO  BOR DKT. 00181775

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

19. KOREEM PERRY  BOR DKT. 00179275

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

20. VIRGINIA WEBBER  BOR DKT. 00181396

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

21. CRAIGREONNA JONES  BOR DKT. 00180672

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

22. SAMMY RUFF  BOR DKT. 00180927

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily, no disqualification of benefits for misconduct connected with the work, no disqualification of benefits
refusing suitable work and holding the claimant eligible for benefits under availability for work.

23. NICOLE ELLIS   BOR DKT. 00181117

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

24. SAUNDRA DOWLING   BOR DKT. 00178317

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

25. JULIO NAVARRETE   BOR DKT. 00172424

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work and a denial of a requested pre-date on an unemployment claim.

26. NICHLOLAS SALVATORE   BOR DKT. 00180730

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.

27. KARINA CARDOZA   BOR DKT. 00180811

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

28. MATTHEW DAVIS   BOR DKT. 00174513

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

29. MATTHEW DELASOSA   BOR DKT. 00175230

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

30. JOSE DELGADO   BOR DKT. 00176776

Claimant appealed the decision of the Appeal Tribunal holding a disqualification for misconduct connected with the work.
31. AMANDA INSLEY  BOR DKT. 00181234

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

32. CALIPH GRIFFIN  BOR DKT. 00181311

Employer appealed the decision of the Appeal Tribunal holding the employer liable from benefit charges.

33. JUDEE PRIEST  BOR DKT. 00180779

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

34. PATRICK MARRERO  BOR DKT. 00182383

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

35. DELANO ELLIS  BOR DKT. 00180784

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

36. GWENDOLYN DUPARD  BOR DKT. 00180253

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

37. SCHALOR BLACKSHEER JR  BOR DKT. 00182128

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

38. JEFFREY BOOKER JR  BOR DKT. 00182089

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

39. VINCENT DEGULIS  BOR DKT. 00180966

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for misconduct connected with the work.
ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMED APPEALS FROM APPEAL TRIBUNAL DECISIONS.

A-5 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. NIKOLAY NIKIFOROV  BOR DKT. 00180409
   Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training.

2. OMAR BRUNSON  BOR DKT. 00181480
   Employer appealed the decision of the Appeal Tribunal holding non disqualification of benefits for leaving work voluntarily, availability for work and not liable for a non-fraud refund.

3. MAURICE MCRAE  BOR DKT. 00181411
   Claimant appealed the Appeal Tribunal holding the unemployment claim invalid.

4. JAVIER CALZADILLA  BOR DKT. 00181013
   Claimant appealed the decision of the Appeal Tribunal the claimant liable for a non-fraud refund on the ground that he was employed with earnings.

5. CATHERINE SMALLMAN  BOR DKT. 00181888
   Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

6. ZACHARY KING  BOR DKT. 00174651
   Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

7. MAHIRENE TAVAREZ  BOR DKT. 00181912
   Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

8. KELBIN CARDENES  BOR DKT. 00179616
   Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for misconduct connected with the work.
9. MARCELA TAPIERO  BOR DKT. 00180121

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

10. JADA FITZGERALD  BOR DKT. 00166082

Claimant appealed the Board of Reviews decision holding a disqualification of benefits for leaving work voluntarily and a liability to a non-fraud refund.

11. SAMARA KRAFT  BOR DKT. 00155363

Claimant appealed a decision of the Board of Review which affirmed the Appeal Tribunals decision holding the claimant disqualified for benefits for leaving work voluntarily.

12. KEISHA DELLEH  BOR DKT. 00182267

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

ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS REMAND APPEALS FROM THE APPEAL TRIBUNAL OR THE DEPUTY.

SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 NILAYIA MCGIRT  BOR DKT. 00181262

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training.

ACTION: THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION HOLDING THE CLAIMANT INELIGIBLE FOR ABT.
B-2  DAVID SANMARTIN  BOR DKT. 00180944

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

ACTION: THE BOARD AGREED TO AFFIRM THE DENIAL HOLDING THE CLAIMANT INELIGIBLE FOR DISABILITY NON-FRAUD REFUND.

B-3  JENNIFER ISRAEL  BOR DKT. 00166534

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

ACTION: THE BOARD AGREED TO REVERSE THE APPEAL TRIBUNAL DECISION. HOLD UNDER 5(A) DISQUALIFICATION.

B-4  JOHN PINTAK  BOR DKT. 00167459

Appeal Tribunal dismissed for the appellant’s failure to register without good cause. (Supplemental for Discussion).

ACTION: THE BOARD VOTED TO AFFIRM THE DENIAL OF REQUEST TO REOPEN.
Appeal Tribunal dismissed for the appellant’s failure to register properly without good cause. The Board of Review affirmed; DAG is requesting the Board of Review to consider reopening the matter. (Supplemental for Discussion).

ACTION: THE BOARD VOTED TO ACCEPT THE REMAND FROM THE APPELLATE DIVISION.

THE BOARD WENT INTO EXECUTIVE SESSION FOR LEGAL ADVICE AT 11:11 A.M. THE EXECUTIVE SESSION ENDED AT 11:22, AT WHICH TIME THE BOARD RESUMED THE REGULAR OPEN PUBLIC MEETING.