

# BOARD OF REVIEW MINUTES – JULY 31, 2019 MEETING

## 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.

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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.

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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.

**ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS DENIALS OF REOPENING REQUESTS TO THE BOARD OF REVIEW. JONATHAN M. RICHARDSON DKT. NO. 00168338 WAS REMOVED FROM THE LIST AND TABLED FOR THE MEETING OF AUGUST 7, 2019.**

### 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.

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**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.

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**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

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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.

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**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.

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**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.



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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 AFFRIM THE APPEAL TRIBUNAL DECISION HOLDING THE CLAIMANT INELIGIBLE FOR ABT.**

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**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 TH 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.**

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**B-5** JOAN GINCLEY

BOR DKT. 00164842

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.**