MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
AUGUST 7, 2019

JOSEPH P. SIEBER, CHAIRPERSON

NANCY W. HUNT, VICE-CHAIRPERSON
A regular meeting of the Board of Review was held on Wednesday, August 7, 2019 at 10:00 a.m., in Trenton, New Jersey

PRESENT: Joseph Sieber, Chairman, Nancy Hunt, Vice-Chair and William Scaglione, Executive Secretary.

In accordance with L1975, c.231, the Chairman 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.
SECTION A – HEARING MATTERS

BOARD OF REVIEW MINUTES:

Submitted for adoption are the Board of Review minutes of the meeting of July 31, 2019.


OLD BUSINESS:

1. 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 work voluntarily (tabled for discussion in the meeting of 7/31/19 to be discussed in the meeting 8/7/19).

2. 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 DOCKET 00168338 IN FAVOR OF THE CLAIMANT AND TO REVERSE THE TIMELINESS ON DOCKET 00181296

A-1 ORDER VACATING BOARD OF REVIEW APPEALS

1. CARLA FASCIANO   BOR DKT. 00182820

Claimant appealed a 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.

2. CARLA FASCIANO   BOR DKT. 00182820

Claimant appealed a decision of the Appeal Tribunal holding no disqualification of benefits for misconduct connected with the work, and no disqualification of benefits for leaving work voluntarily.
3. JENNIFER SCHAFFER BOR DKT. 00183997

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

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

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

1. MICHEL JEREZ BOR DKT. 00182369

Employer appealed a decision of the Appeal Tribunal holding no disqualification for refusal of suitable work issue.

2. CHAO ZHANG BOR DKT. 00175505

Employer appealed the validity of an unemployment claim and contended that the claimant did not work for them.

3. KELLY SODON BOR DKT. 00183462

Employer appealed the Appeal Tribunal decision holding the unemployment claim valid.

4. SIDDEEQAH SINGLEY BOR DKT. 00181131

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

5. JESSICA CISNEROS-VARGAS BOR DKT. 00181781

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

6. MAURICE JEFFERSON BOR DKT. 00182020

Claimant appealed a decision of the Appeal Tribunal dismissing appeal as late without good cause.
7. WINSOME MCQUEEN  BOR DKT. 00166967

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

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

A-4  **AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS**

1. MICHAEL SARGENTI  BOR DKT. 0018123

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work and not ineligible for benefits under reporting requirements.

2. ASHA JACK  BOR DKT. 00182924

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

3. DAWN BACCARE  BOR DKT. 00177570

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

4. YLSA GUTIERREZ  BOR DKT. 00179430

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

5. MARIA SOLORZANO  BOR DKT. 00182312

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

6. ERNEST WHITAKER  BOR DKT. 00182096

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and holding the availability as academic.
7. BRITTANY PAPA   BOR DKT. 00182014

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

8. ROBERTO ESPOSITO   BOR DKT. 00179978

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

9. IVY DAN   BOR DKT. 00181968

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

10. DEANNA ISABEL   BOR DKT. 00181841

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

11. RACQUEL MILLER   BOR DKT. 00181547

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

12. RICHARD MING   BOR DKT. 00179871

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

13. LENA FINLEY   BOR DKT. 00181276

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

14. CLAUDE LEECHONG   BOR DKT. 00178288

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

15. WENDILY MENDEZ   BOR DKT. 00175158

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal due to non-registration for the hearing.
16. LISA ADER  BOR DKT. 00181849

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

17. TYRESA TODD  BOR DKT. 00182159

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

18. BRENNA SWEENEY  BOR DKT. 00182277

Claimant appealed the Appeal Tribunals decision holding the claimant ineligible for family leave benefits.

19. JESSICA BOTTA  BOR DKT. 00182427

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

20. JACK LORE  BOR DKT. 00182538

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits for failing to meet the reporting requirements of the division.

21. LISA TENNISNIEVES  BOR DKT. 00180459

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

22. FATMA INAN  BOR DKT. 00182623

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

23. LUZ COURSEY  BOR DKT. 00183052

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

24. PABLO HURTADO  BOR DKT. 00175579

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
25. CRYSTAL FERNANDEZ  BOR DKT. 00179089

Employer appealed a decision of the Appeal Tribunal holding no disqualification under voluntarily leaving and no disqualification under discharge for misconduct.

26. CARMEN BURGOS  BOR DKT. 00181145

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

27. BARBARA STEFANACCI  BOR DKT. 00181172

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

28. CHARLENE GOMEZ  BOR DKT. 00171395

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

29. AMANDA FLORES  BOR DKT. 00178663

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

30. KAYLAN MURPHY  BOR DKT. 00183642

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

31. MARCIAL MARIANO  BOR DKT. 00183057

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

32. ROBERT DALESSIO  BOR DKT 00175421

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

33. WILLIAM PARKS  BOR DKT. 00183127

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.
<table>
<thead>
<tr>
<th>34. SARAH DANIELS</th>
<th>BOR DKT. 00183564</th>
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<tr>
<td>Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.</td>
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<th>35. DIONNA ANDERSON</th>
<th>BOR DKT. 00183234</th>
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<td>Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.</td>
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<th>36. FELICIANO DIAZ</th>
<th>BOR DKT. 00182720</th>
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<tr>
<td>Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily and no disqualification of benefits for refusing suitable work.</td>
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<tr>
<th>37. FERNANDO VIZCAINO</th>
<th>BOR DKT. 00183185</th>
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<tr>
<td>Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and liable for a non-fraud refund.</td>
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<tr>
<th>38. VANEET GARG</th>
<th>BOR DKT. 00182399</th>
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<tr>
<td>Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily, no disqualification of benefits for misconduct connected with the work, and no disqualification of benefits for refusing suitable work.</td>
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<th>39. BRITTANY ASMAR</th>
<th>BOR DKT. 00182730</th>
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<tr>
<td>Claimant appealed a decision of the Appeal Tribunal holding no disqualification of benefits for misconduct connected with the work, and disqualification of benefits for refusing suitable work.</td>
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<th>40. LATEEF BARNES</th>
<th>BOR DKT. 00181714</th>
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<tr>
<td>Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.</td>
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<th>41. AMYLIZ AMAYA</th>
<th>BOR DKT. 00181449</th>
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<tbody>
<tr>
<td>Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for misconduct connected with the work.</td>
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</table>
42. SADIYYAH SIMPSON  BOR DKT. 00181802

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim valid.

43. MARY KEOUGH  BOR DKT. 00181617

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

44. DANTE LILLISTON  BOR DKT. 00181671

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

45. LINDSAY CONSTANTINO  BOR DKT. 00179831

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

46. DANTE LILLISTON  BOR DKT. 00181672

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

47. RAYMOND MAJEWSKI  BOR DKT. 00182082

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

48. AWILDA BELARDO  BOR DKT. 00181552

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

49. LEAH HOLMES  BOR DKT. 00182731

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

50. RAY KINEE  BOR DKT. 00182076

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.
51. JOANN WIGGINS    BOR DKT. 00182914
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

52. ALICIA DECESARE    BOR DKT. 00183238
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

53. RONDEL WILLIAMS    BOR DKT. 00183371
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

54. CASSANDRA AUGUSTIN    BOR DKT. 00183953
Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for misconduct connected with the work.

55. PATRICIA MOSELY    BOR DKT. 00182768
Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

56. LAUREEN L BULL    BOR DKT. 00179910
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

57. DAVION GREGORY    BOR DKT. 00182854
Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for misconduct connected with the work.

58. JOHN LYONS    BOR DKT. 00182319
Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.

59. GLORIA BATISTA-MORA    BOR DKT. 00182396
Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training (ABT).
ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMED APPEALS FROM APPEAL TRIBUNAL DECISIONS.

A-5 REVERSALS OF APPEAL TRIBUNAL DECISIONS

1. ELIECER AVENDANO  BOR DKT. 00179972
   Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for voluntarily leaving work.

2. LINDA HARRIS  BOR DKT. 00171835
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification for voluntarily leaving.

3. MARSHELLE JONES  BOR DKT. 00182174
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.

4. JULIAN GUILARTE  BOR DKT. 00179532
   Claimant appealed a decision of the Appeal Tribunal dismissing appeal as late without good cause, and not ineligible for benefits under N.J.S.A. 43:21-4(c) for subsequent periods.

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

A-6 REQUEST FOR RECONSIDERATION FROM SUPERIOR COURT

1. VALARIE SKAILENKO  BOR DKT. 00168875
   Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for voluntarily leaving work.

ACTION: THE BOARD VOTED TO TAKE THE ABOVE CASE BACK TO REWRITE IT.
## A-7 Remands to The Appeal Tribunal or Deputy

1. **JOY SEYMOUR** | BOR DKT. 00180960
   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.

2. **CAROLANN MCMENEMY** | BOR DKT. 00171957
   Employer appealed the decision of the Appeal Tribunal holding no disqualification for voluntarily leaving and no disqualification for discharge from the work.

3. **JESUS OSORIO** | BOR DKT. 00176233
   Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to work.

4. **JAMIE HANKERSON** | BOR DKT. 00182405
   Claimant appealed a decision of the Appeal Tribunal holding no disqualification for leaving work voluntarily and ineligible for benefits under availability for work.

5. **STEPHANIE TERMIDOR** | BOR DKT. 00181705
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work and ineligible for benefits under availability for work.

6. **SADE WARREN** | BOR DKT. 00183225
   Claimant appealed a decision of the Appeal Tribunal dismissing appeal as late without good cause.

7. **JODY DAVID** | BOR DKT. 00182489
   Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

8. **GIUSEPPE DIGIOVANNI** | BOR DKT. 00182951
   Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for misconduct connected with the work.
9. RASHA ELSAVED  BOR DKT. 00170239

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

10. KURSHAD JUHAL  BOR DKT. 00181264

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

11. RAYMOND RUFINO  BOR DKT. 00181318

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily and no liability for non-fraud refund.

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

**SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION**

B-1  GRACE ESPiritU  BOR DKT. 00182586

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

**ACTION:** THE BOARD VOTED AND AGREED TO REVERSE AND WRITE A NEW DECISION REVERSEING THE APPEAL TRIBUNAL’S DECISION.

B-2  SONIA HERNANDEZ  BOR DKT. 00181659

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

**ACTION:** THE BOARD VOTED AND AGREED TO SEND THIS CASE BACK TO THE APPEAL TRIBUNAL FOR A NEW HEARING.
B-3  JAMES HIGGENS  BOR DKT. 00179570

Claimant appealed the decision of the Appeal Tribunal holding no disqualification for discharge from the work and holding the claimant disqualified for voluntarily leaving the work.

**ACTION:** THE BOARD VOTED AND AGREED TO AFFIRM THE APPEAL TRIBUNAL DECISION.

B-4  HOLLIE SUTTON  BOR DKT. 00181100

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

**ACTION:** THE BOARD VOTED AND AGREED TO REVERSE THE APPEAL TRIBUNAL DECISION.

B-5  CONRAD MC PHERSON  BOR DKT. 00182616

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

**ACTION:** THE BOARD VOTED AND AGREED TO TABLE THIS CASE FOR FURTHER DISCUSSION. (THIS CASE WILL BE DISCUSSED IN THE MEETING OF AUGUST 14, 2019).
B-6  BAHEEJAH OSIFO  BOR DKT. 00181760

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

**ACTION:** THE BOARD VOTED TO TABLE THIS CASE FOR FURTHER DISCUSSION. (THIS CASE WILL BE DISCUSSED IN THE MEETING OF AUGUST 14, 2019.

B-7  GIUSEPPE POLIZZI  BOR DKT. 00174602

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

**ACTION:** THE BOARD VOTED TO REVERSE AND REMAND THE CASE BACK TO THE APPEAL TRIBUNAL.

B-8  THOMAS COUNTS  BOR DKT. 00176908

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for being a full-time student.

**ACTION:** THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION WITH A REWRITE TO A DISMISSAL OF APPEAL TO THE BOARD OF REVIEW.

B-9  CHRISTOPHER LOKERSON  BOR DKT. 00183745

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

**ACTION:** THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION AND HOLD NO MISCONDUCT.
Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work.

**ACTION:** THE BOARD VOTED TO REMAND THE CASE BACK TO THE APPEAL TRIBUNAL FOR FURTHER TESTIMONY.

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

**ACTION:** THE BOARD VOTED TO TABLE THIS CASE FOR FURTHER DISCUSSION. (THIS CASE WILL BE DISCUSSED IN THE MEETING OF AUGUST 14, 2019).

Claimant appealed a decision of the Appeal Tribunal holding the claimant disqualified for benefits for being a full-time student, and ineligible for benefits under availability for work.

**ACTION:** THE BOARD VOTED TO TABLE THIS CASE FOR FURTHER DISCUSSION. (THIS CASE WILL BE DISCUSSED IN THE MEETING OF AUGUST 14, 2019).

**SECTION – C - CASES TO BE DISCUSSED IN EXECUTIVE SESSION REGARDING PROCEDURAL MATTERS**

1. FANG LIU
   BOR DKT. 00133296

2. KEONA WRIGHT
   BOR DKT. 00113887