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State of New Jersey
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
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ROBERT ASARO-ANGELO
Commissioner

BOARD OF REVIEW

TAKE NOTICE THAT PURSUANT TO THE OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-6 ET. SEQ., THE NEW JERSEY DEPARTMENT OF LABOR BOARD OF REVIEW HAS SCHEDULED AN OPEN PUBLIC MEETING TO DISCUSS THE ATTACHED AGENDA ON MARCH 9, 2022 AT 10:00 AM. THE OPEN PUBLIC MEETING WILL BE HELD VIA TELEPHONE CONFERENCE CALL. THE TELECONFERENCE PHONE NUMBER IS 1 (856) 338-7074 AND THE CONFERENCE ID IS 540 714 231#.

AGENDA OF REGULAR MEETING OF

THE BOARD OF REVIEW

MARCH 23, 2022

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIRPERSON

ANDREA JACKSON, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING – MARCH 23, 2022 AGENDA

BOARD MINUTES:

Submitted for adoption are the minutes of the March 9, 2022 Board meeting.

ACTION:

OLD BUSINESS

1. ERICK MALPARTIDA BOR DKT. 00209484

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

This case was tabled in the meeting on February 23, 2022 for the Board of Review to send correspondence to the claimant.

SECTION A – HEARING MATTERS:

A-1 WITHDRAWAL OF APPEALS

1. CARMEN GONZALEZ BOR DKT. 00249626

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

ACTION:

A-2 VACATED APPEALS TO THE BOARD OF REVIEW

1. MARY VERDUCCI BOR DKT. 00246161

Claimant's appeal was docketed in error as an appeal to the Board of Review.

2. BENNY GRANDE BOR DKT:00249336

Employer appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under ability to work, and liability for a non-fraud refund.

3. OMAR SHAWWAF BOR DKT. 00250836

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

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4. PAUL OSTENSEN

BOR DKT. 00230921

Claimant's correspondence was processed as an appeal to a decision of the Appeal Tribunal referring the matter of the refund calculation to the Director.

ACTION:

A-3 DISMISSALS OF LATE APPEALS OR NON-JUSTICIBLE ISSUE TO THE BOARD OF REVIEW

1. DONNELL WILLIAMS

BOR DKT. 00082385

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

2. JEFFREY FOGARTY

BOR DKT. 00202270

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

3. LISA DENNIN

BOR DKT. 00244834

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

4. LOUIE SCIRVANICH, JR.

BOR DKT.00241658

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified in the CARES Act and a liability to a non-fraud refund.

5. ELIJAH ANTHONY

BOR DKT. 00244921

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

6. SOBIESKY DIAZ

BOR DKT. 00241219

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

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7. JENNYFER BROGGI

BOR DKT: 00221250

Employer's correspondence was processed as an appeal to a decision of the Appeal Tribunal holding the claimant disqualified for regular benefits under voluntary leaving.

8. MAKETHA THOMAS

BOR DKT. 00238668

Employer appealed the decision of the Appeal Tribunal which denied the request to vacate a prior decision dismissing the appeal for failure to register for the hearing.

9. KRYSTAL SANDERS

BOR DKT. 00212110

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits under leaving work voluntarily without good cause attributable to the work and a liability to a refund.

10. HENRY KAFTIRANI

BOR DKT. 00235640

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for regular unemployment benefits under availability for work, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified under the CARES Act, and liable for a non-fraud refund.

11. NOURINE ABDELAAL

BOR DKT. 00254449

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work and ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified in the CARES Act.

12. ANITA BASHIR

BOR DKT. 00241207

Claimant's correspondence was processed as an appeal to a decision of the Appeal Tribunal favorable to the claimant.

13. RASHAWN MCQUEEN

BOR DKT. 00231289

Claimant appealed a decision of the Appeal Tribunal holding and ineligibility for regular benefits under availability for work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

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14. MARIE DILL BOR DKT. 00218840
Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work.

15. OLIVIO VALVERDE BOR DKT. 00257156
Claimant appealed the decision of the Appeal Tribunal holding the claimant employed full-time and liable for a non-fraud refund.

16. ABRAHAM NEWMARK BOR DKT. 00236449
Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for regular benefits under availability for work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

17. RUTH COLLADO BOR DKT. 239572
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work, an ineligibility for benefits under availability for work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a refund liability.

18. LUIS PEREZ BOR DKT. 00237948
Claimant appealed a decision of the Appeal Tribunal holding the regular claim invalid, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

19. KAMIYA MCKINNEY BOR DKT. 00221673
Claimant appealed a decision of the Appeal Tribunal dismissing appeal as late without good cause.

ACTION:

A-4 REOPENING REQUESTS TO THE BOARD OF REVIEW

1. ALIA VERONICA RIOFRIO CRUZ BOR DKT. 00230870
Claimant is requesting reconsideration of the Board of Review's Decision affirming the Appeal Tribunal's decision holding the claimant ineligible for benefits under ability to work and liability to a non-fraud refund.

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ACTION:

A-5 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. ERIKA ACCOSTA VALDEZ BOR DKT. 00240856

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal, through the date the determination notice was mailed, as late without good cause and holding the claimant ineligible for benefits under availability for work.

2. JEYDA RIVERA BOR DKT. 00248078

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed and liability for non-fraud refund.

3. MATTHEW SELENKO BOR DKT. 00247645

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

4. MORGAN WHILDEN BOR DKT. 00248108

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified under the C.A.R.E.S. Act.

5. ROCCO LOMBARDI BOR DKT. 00246870

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

6. CHRISTOPHER SANTIAGO BOR DKT. 00249260

Claimant appealed a decision of the Appeal Tribunal holding the claim for Unemployment Compensation for Ex-Servicemen benefits invalid on the ground that the claimant lacked qualifying wages to establish a valid claim.

7. CHEYENE-MONICA HINES BOR DKT. 00249028

Claimant appealed a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons and a liability to a non-fraud refund.

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8. W R KRAMER

BOR DKT. 00251130

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal through the mailing date of the determination as late without good cause and holding the claimant ineligible for benefits under active search for work.

9. TESSHAUNA ANDERSON

BOR DKT. 00249403

Claimant appealed a decision of the Appeal Tribunal dismissing appeal as late without good cause through January 9, 2021.

10. JAMES DISTAULO

BOR DKT. 00251075

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for regular unemployment benefits under availability for work, ineligible for Pandemic Unemployment Assistance (PUA) benefits, and liable for a non-fraud refund.

11. TESS MCLAUGHLIN

BOR DKT. 00232659

Claimant appealed a decision of the Appeal Tribunal holding a liability to a refund.

12. BHARATI DEVARAJ

BOR DKT. 00250764

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and a liability for a non-fraud refund.

13. YOHAN SAMUEL

BOR DKT. 00230208

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

14. NADINE KIBALO-CARPENTER

BOR DKT. 00229907

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability for a refund.

15. TINA PALUMBO

BOR DKT. 00230539

Claimant appealed a decision of the Appeal Tribunal holding a refund liability.

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16. LAUREN EMICH

BOR DKT. 00260678

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

17. GUSELL MEDINA

BOR DKT. 00264821

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

18. GUSELL MEDINA

BOR DKT. 00264820

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

19. BARBARA MANDEVILLE

BOR DKT. 00241031

Claimant appealed a decision of the appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified under the CARES Act, and liable to refund the sum of \$7,854 received as benefits for the weeks ending 05/23/20 through 01/09/21.

20. CARTER SMITH

BOR DKT. 00275328

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

21. RENEE DICARLANTONIO

BOR DKT. 00236922

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

22. GHAZALA KHAN

BOR DKT. 00269213

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms and liability for non-fraud refund.

23. TANIA ROSARIO

BOR DKT. 00277205

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

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24. ETHAN KNAPP

BOR DKT. 00250958

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons, and a liability to an agency refund.

25. RYAN ABRECEA

BOR DKT. 00251123

Claimant appealed a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant is employed full-time and a liability to an agency refund.

26. GEORGE WILLIAMS IV

BOR DKT. 00238135

Claimant appealed a decision of the Appeal Tribunal which dismissed the appeal as late without good cause.

27. SABRINA WAGNER

BOR DKT. 00263057

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

28. SABRINA WAGNER

BOR DKT. 00263066

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

29. JULIANNE CALABRIA

BOR DKT. 00244375

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

30. AMY LOWTHER

BOR DKT. 00239204

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for partial unemployment benefits and a liability to a refund.

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31. DAINY TAPIA

BOR DKT. 00239660

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

Action:

A-6 Reversals of Appeal Tribunal Decisions by the Board of Review

1. KRISTOFFER ELLIS

BOR DKT. 00233801

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

2. HILDY ROTH

BOR DKT. 00262432

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

3. RICHARD LUDWIG

BOR DKT. 00229320

Claimant appealed the decision of the Appeal Tribunal which denied the claimant's request for a pre-date of a Pandemic Unemployment Assistance (PUA) claim.

Action:

A-7 MODIFIED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR DEPUTY

1. BRYCE KAUFMAN

BOR DKT. 00236143

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

2. NICOLE POLONETSKY

BOR DKT. 00232376

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

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3. BONNIE PETITT

BOR DKT. 00235895

Claimant appealed a decision of the Appeal Tribunal holding the claimant was employed full-time.

ACTION:

A-8 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. RANCES PEREZ

BOR DKT. 00246502

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant had no attachment to the labor market.

2. JASMINE WILLIAMS

BOR DKT.00250498

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

3. KRISTIE COPPOLA

BOR DKT. 00253155

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and a liability for a non-fraud refund.

4. PAMELA WAEHLER

BOR DKT. 00238035

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid, the Pandemic Unemployment Assistance claim invalid, and liable for a non-fraud refund.

5. GABRIEL JIMENEZ

BOR DKT. 00268062

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified in the CARES Act and a liability to a non-fraud refund.

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6. COLLEEN BARLAGE

BOR DKT. 00249313

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

7. MICHELLE DISPOTO

BOR DKT. 00258178

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to work and liability for a non-fraud refund.

ACTION:

A-9 REQUEST FOR RECONSIDERATION FROM SUPERIOR COURT

1. TRACI WILLIS

BOR DKT. 00179492

The Board of Review affirmed the decision of the Appeal Tribunal, holding no disqualification for benefits on the ground that the claimant was not discharged for misconduct connected with the work. Superior Court of New Jersey, Appellate Division, Docket No. A-000472-20, by Order mailed January 6, 2022, remanded the matter for reconsideration.

ACTION:

A-10 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. JOHNNY RAMOS

BOR DKT. 00245789

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work, and no disqualification of benefits for discharge for misconduct connected with the work.

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2. LUIS VILLALBA BOR DKT. 00248032

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

3. JUSTINA ANIGHORO-OKEZIE BOR DKT. 00249134

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

4. JAY SHENKER BOR DKT. 00250919

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid, ineligible for Pandemic Unemployment Assistance (PUA) benefits, and liable for a non-fraud refund.

5. SILVANA MCSWEENY BOR DKT.00235707

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

6. EDMUND SILBSTEIN BOR DKT. 00234999

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

7. CHARLITTA REDD BOR DKT. 00249210

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

8. RICHARD BAUM BOR DKT. 00230146

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

9. ALTAGRACIA GALARZA BOR DKT. 00230154

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

10. VAL IVATCH BOR DKT. 00272668

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

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11. MARIA ZIELINSKA

BOR DKT. 00266870

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified in the CARES Act and a liability to a non-fraud refund.

12. MONA YASSIN

BOR DKT. 00260085

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

13. ANTHONY GUEVARA

BOR DKT. 00268384

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

14. KRISTEN STEFANOWICZ

BOR DKT. 00214399

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

15. PATRICK TOBIN

BOR DKT. 00251823

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

16. GERALD NEAVES

BOR DKT. 00261565

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified in the CARES Act and a liability to a non-fraud refund.

17. CHARLES DEMARINO

BOR DKT. 00259274

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

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18. LINDSAY BOGOL

BOR DKT. 00257060

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for leaving work voluntarily without good cause attributable to such work.

ACTION:

A-11 REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. MELBA RAMIREZ

BOR DKT. 00233731

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal, through the date the determination was mailed, as late without good cause.

2. MARIA HERRERA RAMIREZ

BOR DKT. 0024928

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

3. PATRICIA RAMIREZ GUILLEN

BOR DKT. 00249647

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

ACTION:

SECTION B – MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 AIDEL WEINTRAUB

BOR DKT. 00251678

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

ACTION:

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B-2

LAURA KANE

BOR DKT. 00263621

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

ACTION: