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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

**MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
MAY 3, 2023**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

LISA HART, MEMBER

MARIA ZOLA, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING MAY 3, 2023

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A regular meeting of the Board of Review was held on Wednesday, May 3, 2023, at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, Lisa Hart, Member, MARIA ZOLA, Acting Executive Secretary,

In accordance with L1975, c.231, the Chairperson 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.

BOARD OF REVIEW MINUTES – MAY 3, 2023 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the April 19, 2023 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE APRIL 19, 2023 BOARD MEETING.

SECTION A – HEARING MATTERS:

A-1 VACATED APPEALS BY THE BOARD OF REVIEW

1. BRIANA THOMPSON BOR DKT. 00269979

Claimant's correspondence was erroneously processed as an appeal to a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

2. DAECHUL SEO BOR DKT. 00252301

Claimant's correspondence was processed as an appeal to a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work and a liability to a refund.

3. KATIE-JO MCGOLDRICK BOR DKT. 00229433

Claimant's letter was processed as an appeal to a decision of the Appeal Tribunal holding the claimant ineligible for benefits under employed full-time and remanding the determination to the Deputy.

4. MICHAEL BARNER BOR DKT. 00285914

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for unemployment benefits due to unavailability for work, ineligibility as there were less than seven eligible days during a week of claimed benefits, eligibility for weeks of unemployment, and a remand to the Deputy to determine eligibility for later reported weeks of unemployment.

5. NICOLE ARDOLINO BOR DKT. 00275505

Claimant's correspondence was processed as an appeal to a decision of the Appeal Tribunal holding the claimant eligible for Pandemic Unemployment Assistance (PUA) benefits.

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6. MECCA SLEIMAN

BOR DKT. 00308501

An appeal from the claimant was erroneously processed as an appeal to the Appeal Tribunal's decision denying a request to vacate a prior dismissal.

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

A-2 DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUE

1. KHADIJAH WOODLAND

BOR DKT. 00285696

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

2. JESSICA KING

BOR DKT. 00285617

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

3. JINELY ROSADO

BOR DKT. 00286024

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

4. JAYSON WILSON

BOR DKT. 00269979

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

5. MALINDA MOORE

BOR DKT. 00268801

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under not unemployed and liable for a refund.

6. ESTHER ROTHBARD-HELBERG

BOR DKT. 00315136

Claimant appealed a decision of the Appeal Tribunal denying the claimant's request for a waiver of repayment for an overpayment of benefits.

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7. KENNETH BULWIN

BOR DKT. 00279874

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

8. KATHERYN GUERRERO TEJEDA

BOR DKT. 00267906

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

9. OSAFA OPARISON

BOR DKT. 00260195

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as untimely and there was no good cause for the late filing.

10. KENIA NOLASCO

BOR DKT. 00287928

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

11. LAURA DIORDANO

BOR DKT. 00285777

Claimant appealed a decision of the Appeal Tribunal denying the claimant's request to vacate the prior dismissal of the appeal for failure to register for the hearing and denying the scheduling of a new hearing.

12. RAMON VALLEJO

BOR DKT. 00227340

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

13. FIOR SANTANA

BOR DKT. 00253863

Appeal Tribunal holding a disqualification of unemployment benefits for leaving work voluntarily and an ineligibility for Pandemic Unemployment Assistance (PUA) benefits.

14. PATRICIA DECASTRO

BOR DKT. 00300632

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

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15. LANCE VISSAGGIO

BOR DKT. 00287383

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

16. LOUIS DALICANDRO, JR.

BOR DKT. 00314014

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under ability to work and a liability to a refund.

17. FUKYUNG LEE

BOR DKT. 00251538

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

18. LUZ VERA

BOR DKT. 00311371

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

19. ROCIO GUERRERO FLORES

BOR DKT. 00317523

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUE.

A-3 REQUEST FOR RECONSIDERATION BY THE BOARD OF REVIEW

1. MICHAEL CONOVER

BOR DKT. 00253965

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

ACTION: BOARD VOTED TO ACCEPT THIS CASE AS REQUEST FOR RECONSIDERATION BY THE BOARD OF REVIEW.

BOARD OF REVIEW MINUTES – MAY 3, 2023 MEETING

A-4 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. JAMIE MEJIA BOR DKT. 00275308

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

2. TAMI CULP BOR DKT. 00267825

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

3. ASHLEY CAREY BOR DKT. 00273869

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 liability for a non-fraud refund.

4. KAWANNA WARREN BOR DKT. 00277366

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, and a liability for a non-fraud refund.

5. DALVI SHEPHARD BOR DKT. 00257169

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

6. AMANDA SOLOMON BOR DKT. 00257223

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

7. TONI FORNICOLA BOR DKT. 00277272

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

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8. EMILY KNAPP

BOR DKT. 00271410

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

9. BROOKE KESSLER

BOR DKT. 00268381

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

10. MALIK VAZQUEZ

BOR DKT. 00269029

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 C.A.R.E.S. Act and a liability to a non-fraud refund.

11. HANNAH BARGAD

BOR DKT. 00275829

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 C.A.R.E.S. Act and a liability to a non-fraud refund.

12. KRYSTEN GOLIZIO

BOR DKT. 00278687

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

13. ALANNA SABO

BOR DKT. 00267074

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

14. PEDRO MUÑIZ

BOR DKT. 00270750

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, ineligible for Pandemic Unemployment Assistance (PUA), and liable for a non-fraud refund.

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15. CATINA WAINWRIGHT

BOR DKT. 00276212

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

16. ALEXANDRIA ESPINOSA

BOR DKT. 00279166

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

17. LAURIE CORREA

BOR DKT. 00276230

Claimant appealed a decision of the Appeal Tribunal holding no disqualification for unemployment benefits for voluntarily leaving work without good cause attributable to the work, disqualification for benefits for refusing suitable work without good cause, no liability for a non-fraud refund, and remand to determine eligibility for later reported weeks of unemployment.

18. BRANDON SMITH

BOR DKT. 00305481

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

19. PATRICIA CHARLES

BOR DKT. 00284234

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

20. PETER CAMPOS

BOR DKT. 00277778

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

21. TAWANDA BROWN

BOR DKT. 00275654

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW.

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A-5 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. JAMIE MEJIA BOR DKT. 00278306

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

2. AMANDA DIANGE BOR DKT. 00259827

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work and a liability to a refund.

3. JULIO MUÑIZ BOR DKT. 00278077

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, and a liability for a non-fraud refund.

4. ROBERT HAMILTON BOR DKT. 00268486

Claimant appealed the decision of the Appeal Tribunal holding the claimant employed full-time and liability for non-fraud refund.

5. MARTIN ZEPP BOR DKT. 00277851

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and an ineligibility for benefits under ability to work.

6. MATY SALL BOR DKT. 00264378

Superior Court of New Jersey, Appellate Division, remanded the matter of the claimant's timeliness of appeal to the Appeal Tribunal for further review.

7. SHAWN HERBERT BOR DKT. 00277913

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

ACTION: BOARD VOTED TO ABOVE CASES AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW.

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A-6 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW

1. MIGUEL JIMENEZ ROQUE

BOR DKT. 00269831

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 misconduct connected with the work.

2. NICOLO BUSSI

BOR DKT. 00277005

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

3. JUANA SANCHEZ

BOR DKT. 00277762

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 liability for a non-fraud refund.

4. GRICELDA ROSA

BOR DKT. 00268011

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

5. GERARD BEAMAN

BOR DKT. 00278314

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

6. STEFAN HARARY

BOR DKT. 00283418

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

7. MICHAEL BARNER

BOR DKT. 00285915

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

8. ERIKA ALFONSO

BOR DKT. 00267200

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

BOARD OF REVIEW MINUTES – MAY 3, 2023 MEETING

9. DENNIS PAPA

BOR DKT. 00259906

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

10. CRISTINA JACKSON

BOR DKT. 00301364

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as untimely and there was no good cause for the late filing.

11. CRISTINA JACKSON

BOR DKT. 00301362

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as untimely and there was no good cause for the late filing.

12. JACQUEL DELGADO

BOR DKT. 00307943

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

13. JOSEPH CONTE

BOR DKT. 00280962

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

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

A-7 REVERSED DECISIONS OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW

1. LOUIS GRASSO

BOR DKT. 00266006

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.

2. JUSTIN CHEY

BOR DKT. 00278728

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance as the claimant had no labor market attachment, and liable for a non-fraud refund.

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3. NICOLE HART

BOR DKT. 00268551

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

4. GAEL HEDGES

BOR DKT. 00284234

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REVERSED DECISIONS OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW.

A-8 REQUEST FOR RECONSIDERATION FROM THE OFFICE OF THE ATTORNEY GENERAL

1. Z. S.

BOR DKT. 00252583

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

ACTION: BOARD VOTED TO ACCEPT THIS CASE AS REQUEST FOR RECONSIDERATION FROM THE OFFICE OF THE ATTORNEY GENERAL.