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**State of New Jersey**  
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*Commissioner*

**BOARD OF REVIEW**

**MINUTES OF REGULAR MEETING OF  
THE BOARD OF REVIEW  
MAY 5, 2021**

**NANCY HUNT, CHAIRPERSON**

**WILLIAM SCAGLIONE, VICE-CHAIR**

**MARIA ZOLA, ACTING EXECUTIVE SECRETARY**

**BOARD OF REVIEW MEETING MAY 5, 2021**

**MAY 5, 2021**

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**A regular meeting of the Board of Review was held on Wednesday, May 5, 2021 at 10:00 a.m., via conference call, in Trenton, New Jersey**

**PRESENT: Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, 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 5, 2021 MEETING

### BOARD MINUTES:

Submitted for adoption are the minutes of the April 28, 2021 Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE APRIL 28, 2021, AGENDA MEETING**

### SECTION A – HEARING MATTERS

#### **A-1 VACATED APPEALS TO THE BOARD OF REVIEW**

1. ALPHA DIALLO BOR DKT. 00224974

Claimant's letter was erroneously processed as an appeal to the Board of Review.

2. STEPHEN ARONEO BOR DKT. 00229592

Claimant's correspondence was erroneously processed as an appeal to the Board of Review.

3. DOAN DANG BOR DKT. 00220907

Claimant's correspondence was erroneously processed as an appeal to the Board of Review.

**ACTION: 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. VINCENT MCNULTY BOR DKT. 00229290

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

2. ZENETA CASADO BOR DKT. 00229661

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

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3. ESMERALDA OSPINA BOR DKT. 00134771

Claimant appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work with employer #1 voluntarily, ineligible for benefits under availability for work, and liable for a non-fraud refund.

4. SHAMARA PHILLIPS BOR DKT. 00210895

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 that disqualification was not tolled.

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

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

1. KRISTINA VARELA BOR DKT. 00206122

Claimant is requesting a reconsideration of the Board of Review decision affirming the Appeal Tribunal's decision which held the claimant disqualified for benefits for leaving the work voluntarily without good cause attributable to the work.

2. SUPERIOR KING BOR DKT. 00216459

Claimant is requesting a reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision which remanded the matter of dependency allowance to the Deputy for a determination.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW.**

### A-4 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. ROSEMARIE ORGIOLI BOR DKT. 00230388

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

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2. MINA MOAWAD BOR DKT. 00230575

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work from 06/28/20-07/04/20, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons from 06/28/20-07/04/20, and liable for a non-fraud refund.

3. MARIA MENENDEZ BOR DKT. 00225421

Employer appealed a decision of the Appeal Tribunal holding no ineligibility for availability for work.

4. ERIC PRIDGEN BOR DKT. 00230592

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

5. SHAWN CONAWAY BOR DKT. 00230337

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.

6. KIIWII BACON BOR DKT. 00231043

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

7. EDWARD DENZLER BOR DKT. 00229900

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

8. KIM JOHNSON BOR DKT. 00230365

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed, and holding the claimant ineligible for benefits under ability for work.

9. TROY ORR BOR DKT. 00230015

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

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**10. EMILY MEDINA** BOR DKT. 00230657

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

**11. EMMANUEL SMITH** BOR DKT. 00230176

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

**12. ROSARIA LOCICERO** BOR DKT. 00230435

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 liable for a non-fraud refund.

**13. NOAH HAIB** BOR DKT. 00228231

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 liability for non-fraud refund.

**14. JAYNE TOKASH** BOR DKT. 00230431

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

**15. KENNETH KENNEDY** BOR DKT. 00223050

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

**16. JENEE DAVID** BOR DKT. 00227245

Claimant appealed the decision of the Appeal Tribunal which denied the claimant's request for a pre-date of an unemployment claim, holding the claimant not unemployed, and liable for a non-fraud refund.

**17. HECTOR NIEVES** BOR DKT. 00217466

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

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### 18. JAMES COLLINS, JR. BOR DKT. 00221483

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed and liable for non-fraud refund. **(Board voted to remove this case from this category and remand to the Appeal Tribunal to notify the employer involved at the correct address, and for the claimant to provide payroll records for the period he certified for benefits).**

### 19. LISA KING BOR DKT. 00224081

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

### 20. REGINA SKOMSKY BOR DKT. 00220417

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

### 21. GREG LAMPARIELLO BOR DKT. 00229665

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work from March 29, 2020 through December 9, 2020, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment from June 14, 2020 through December 9, 2020 was not due to one of the COVID-19 related reasons, and liable for a non-fraud refund.

### 22. EVENS BENOIT BOR DKT. 00218006

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

### 23. ASHLEROSE GRIFFITH BOR DKT. 00231006

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

### 24. JESSICA GONZALEZ BOR DKT. 00228802

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

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### 25. EPIFANIA INFANTE

BOR DKT. 00230743

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

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

### A-5 AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR THE DEPUTY

#### 1. BARBARA COLEMAN

BOR DKT. 00230759

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 non-fraud refund.

#### 2. JUANITA CHILES

BOR DKT. 00230548

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

#### 3. SAMANTHA GRECO

BOR DKT. 00229670

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 liable for a non-fraud refund.

#### 4. DOROTHY ECHOLS TOBE

BOR DKT. 00228320

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

#### 5. KASIM ALRYASHI

BOR DKT. 00230700

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.

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**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR THE DEPUTY.**

### A-6 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. TAMMY BRILL BOR DKT. 00229861

Claimant appealed a decision of the Appeal Tribunal which held the regular unemployment claim invalid and the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits.

2. LORRAINE FERRARO BOR DKT. 00229690

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work. (Board voted to remove this case from this category and table the matter for further review).

3. JODI WHITE BOR DKT. 00228324

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for misconduct connected with the work, the claimant was unemployed from April 5, 2020 through May 2, 2020, not unemployed from May 3, 2020 through August 29, 2020, and unemployed from August 30, 2020 through December 12, 2020.

**ACTION: BOARD VOTED TO ACCEPT THE REMAINING CASES AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS.**

### A-7 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. BRANDEN HINES BOR DKT. 00228621

Claimant appealed a decision of the Appeal Tribunal holding the claimant disqualified for regular benefits for leaving work voluntarily without good cause attributable to such work, ineligible for regular benefits under availability for work and ineligible for Pandemic Unemployment Assistance (PUA) benefits under the CARES Act.

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2. EBOH OKORIE BOR DKT. 00230515  

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund.
3. JASON RODRIGUEZ BOR DKT. 00229837  

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal and holding a period of disqualification for misconduct connected with the work and a period of ineligibility under availability for work.
4. HAFIZUR RAHMAN BOR DKT. 00230894  

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits, and a liability to a non-fraud refund.
5. NICOLE KOWAL BOR DKT. 00230369  

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 liable for a non-fraud refund.
6. ABDUL GONZAGA BOR DKT. 00229985  

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.
7. SHANIKA EMMONS BOR DKT. 00230393  

Claimant appealed denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons, and holding the claimant liable for a non-fraud refund.
8. VINCENT VASSALLO BOR DKT. 00229441  

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for gross misconduct connected with the work.
9. NICOLE MEJIAS BOR DKT. 00229936  

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

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### 10. ISSA COLSON

BOR DKT. 00234556

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

### 11. ELVA OLSEN

BOR DKT. 00227839

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 for refusing suitable work without good cause.

### 12. PAUL OSTENSEN

BOR DKT. 00230921

Claimant appealed a decision of the Appeal Tribunal holding him ineligible for benefits under employed full-time and inability to work, ineligible for Pandemic Unemployment Assistance (PUA) benefits under the CARES Act, and liable for a non-fraud refund.

### 13. JUNGHWAN MOON

BOR DKT. 00230498

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund. **(Board voted to remove this case from this category, affirm the decision of the Appeal Tribunal, adding to the affirmation that the claimant must file a claim for benefits in the state of New York, where he lives and worked in 2019).**

### 14. ANCUTA PURCEL

BOR DKT. 00229458

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

### 15. KAYLA RISTOFOLETTI

BOR DKT. 00230322

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

### 16. MANUEL FERRERAS

BOR DKT. 00229659

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

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**17. ELIZABETH FLEIG**

BOR DKT. 00231024

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.

**18. DAVID RIPLEY**

BOR DKT. 00229709

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.

**19. BARBARA BLAKESLEE**

BOR DKT. 00227048

Employer appealed a decision of the Appeal Tribunal holding the claimant disqualified for benefits for misconduct connected with the work and liable for a portion of the non-fraud refund.

**20. MOLLA REISBAUM**

BOR DKT. 00230204

Claimant appealed a decision of the Appeal Tribunal holding 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 holding the claimant liable for an agency refund.

**21. MICHAEL DI CAVE**

BOR DKT. 00223300

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

**22. AMGAD GIRGIS**

BOR DKT. 00228323

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

**23. STEPHANIE MENDEZ**

BOR DKT. 00218235

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

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

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

**B-1** IRIS MONEY BOR DKT. 00230437

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed. (**Appellate Specialist Matos**)

**ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL TO NOTIFY THE EMPLOYER INVOLVED OF THE HEARING, ADDRESS THE CLAIMANT’S SEPARATION FROM WORK, AND WHETHER THE CLAIMANT WAS EMPLOYED FULL-TIME AT THE TIME SHE FILED HER CLAIM FOR BENEFITS.**

**B-2** ANDRIANA WINTERMUTE BOR DKT. 00224007

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily. (**Appellate Specialist Matos**)

**ACTION: BOARD VOTED TO TABLE THIS CASE FOR FURTHER REVIEW.**

**B-3** TINA PALUMBO BOR DKT. 00230539

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund. (**Appellate Specialist Matos**)

**ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY FROM THE CLAIMANT REGARDING THE MATTERS OF EMPLOYED WITH EARNINGS AND MONETARY ENTITLEMENT.**