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DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
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ROBERT ASARO-ANGELO
Commissioner

BOARD OF REVIEW

MINUTES OF THE REGULAR MEETING OF THE BOARD OF REVIEW MAY 7, 2025

WILLIAM SCAGLIONE, CHAIRMAN

LISA HART, VICE CHAIRPERSON

ERIC OLSEN, BOARD MEMBER

MARYANN MORAN-SMYTH, EXECUTIVE SECRETARY



BOARD OF
REVIEW

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BOARD OF REVIEW MEETING OF MAY 7, 2025

MAY 7, 2025

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A regular meeting of the Board of Review was held on Wednesday, MAY 7, 2025, at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: William Scaglione, Chairperson, Eric Olsen, Board Member, Maryann Moran-Smyth, Executive Secretary. ABSENT: Lisa Hart, Vice-Chairperson

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 7, 2025 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the April 30, 2025 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE APRIL 30, 2025 BOARD MEETING.

SECTION A – HEARING MATTERS:

A-1 DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUE.

1. BOR DKT. 00260863 (C.J.)

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

2. BOR DKT. 00361878 (T.L.)

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

3. BOR DKT. 00361025 (Y.C.)

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

4. BOR DKT. 00338412 (C.P.)

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

5. BOR DKT. 00329916 (K.C.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily or for being discharged for misconduct connected with the work.

6. BOR DKT. 00350052 (A.S.)

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

BOARD OF REVIEW MINUTES– MAY 7, 2025 MEETING

7. BOR DKT. 00368841 (L.D.)

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

8. BOR DKT. 00371898 (M.K.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant did not meet reporting requirements.

9. BOR DKT. 00368859 (S.M.)

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

10. BOR DKT. 00365364 (J.B.)

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

11. BOR DKT. 00364415 (A.J.)

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

12. BOR DKT. 00368169 (W.S.)

Employer filed a timely appeal to the Appeal Tribunal holding the claimant not ineligible for benefits as the claimant did meet reporting requirements.

13. BOR DKT. 00365502 (U.A.)

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

14. BOR DKT. 00243601 (D.P.)

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

BOARD OF REVIEW MINUTES– MAY 7, 2025 MEETING

15. BOR DKT. 00382401 (A.R.)

Claimant appealed the decision of the Appeal Tribunal, which withdrew the appeal per the claimant's request.

16. BOR DKT. 00353312 (K.K.)

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

17. BOR DKT. 00373378 (W.D.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as the appellant failed to file within the statutory period.

18. BOR DKT. 00362761 (P.M.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily without good cause attributable to the work, or for being discharged for misconduct connected with the work and no liability for a non-fraud refund.

19. BOR DKT. 00313757 (T.L.)

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

20. BOR DKT. 00361935 (I.B.J.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as no justiciable issue.

21. BOR DKT. 00350360 (C.M.)

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

22. BOR DKT. 00357771 (C.M.)

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

BOARD OF REVIEW MINUTES– MAY 7, 2025 MEETING

23. BOR DKT. 00285540 (A.D.)

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

A-2 DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW

1. BOR DKT. 00275616 (K.A.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal's decision denying the request to reopen the matter due to non-registration for the hearing.

2. BOR DKT. 00348909 (G.H.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal's decision dismissing the appeal as late without good cause.

3. BOR DKT. 00353795 (C.J.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal's decision holding the claimant not liable for a non-fraud refund.

4. BOR DKT. 00353797 (C.J.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal's decision holding the claimant liable for a non-fraud refund.

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

BOARD OF REVIEW MINUTES– MAY 7, 2025 MEETING

A-3 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. BOR DKT. 00356294 (T.R.J.)

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

2. BOR DKT. 00344774 (M.R.)

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

3. BOR DKT. 00362513 (M.D.)

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

4. BOR DKT. 00311130 (L.L.)

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

5. BOR DKT. 00356781 (Q.J.)

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

6. BOR DKT. 00360285 (J.A.)

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

7. BOR DKT. 00360695 (D.M.)

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

8. BOR DKT. 00367836 (A.H.)

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

BOARD OF REVIEW MINUTES– MAY 7, 2025 MEETING

9. BOR DKT. 00368930 (A.R.)

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

10. BOR DKT. 00368963 (M.J.)

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

11. BOR DKT. 00368440 (M.O.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant did not meet reporting requirements.

12. BOR DKT. 00364342 (E.F.)

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

13. BOR DKT. 00357017 (E.D.C.)

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

14. BOR DKT. 00362313 (J.P.)

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

15. BOR DKT. 00368759 (S.S.)

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

16. BOR DKT. 00327422 (T.W.)

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

BOARD OF REVIEW MINUTES– MAY 7, 2025 MEETING

17. BOR DKT. 00365867 (L.R.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late.

18. BOR DKT. 00367947 (A.J.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits for failure to meet reporting requirements in accordance with Division regulations.

19. BOR DKT. 00367398 (L.B.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a fraud refund and disqualification of one year from the date of discovery.

20. BOR DKT. 00367399 (L.B.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a fraud refund and disqualification of one year from the date of discovery.

21. BOR DKT. 00339614 (M.R.)

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

22. BOR DKT. 00394276 (R.R.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as the appellant failed to file within the statutory period.

23. BOR DKT. 00368757 (J.M.)

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

24. BOR DKT. 00334978 (E.L.)

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

BOARD OF REVIEW MINUTES– MAY 7, 2025 MEETING

25. BOR DKT. 00342563 (C.G.)

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

26. BOR DKT. 00365545 (R.A.)

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

27. BOR DKT. 00350124 (J.C.)

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

28. BOR DKT. 00361558 (I.B.)

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

29. BOR DKT. 00364362 (K.F.)

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

30. BOR DKT. 00359704 (K.J.)

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

31. BOR DKT. 00365625 (P.P.)

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

32. BOR DKT. 00340024 (G.W.)

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

33. BOR DKT. 00351121 (B.G.)

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

BOARD OF REVIEW MINUTES– MAY 7, 2025 MEETING

34. BOR DKT. 00379638 (N.D.)

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

35. BOR DKT. 00335559 (A.B.)

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

36. BOR DKT. 00342907 (K.H.)

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

37. BOR DKT. 00388440 (N.C.)

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

38. BOR DKT. 00364093 (L.K.)

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

39. BOR DKT. 00358648 (B.W.)

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

40. BOR DKT. 00368425 (K.B.)

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

41. BOR DKT. 00369553 (N.F.)

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

BOARD OF REVIEW MINUTES– MAY 7, 2025 MEETING

42. BOR DKT. 00370787 (V.O.)

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

43. BOR DKT. 00338667 (M.S.)

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

44. BOR DKT. 00361442 (E.G.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training.

45. BOR DKT. 003507836 (F.P.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms.

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

A-4 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW.

1. BOR DKT. 00386946 (P.H.)

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

2. BOR DKT. 00361692 (B.G.)

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

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

BOARD OF REVIEW MINUTES– MAY 7, 2025 MEETING

A-5 AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW.

1. BOR DKT. 00309691 (C.P.)

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons under 15 U.S.C. 9021(a)(3)(A)(ii)(I) (the Coronavirus Aid, Relief, and Economic Security, or "CARES" Act).

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS AN AFFIRMED AND REMANDED DECISION TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW.

A-6 REOPENED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW

1. BOR DKT. 00380162 (B.V.)

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REOPENED AND REMANDED DECISION TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW.

A-7 REMANDS TO THE APPEAL TRIBUNAL AND/OR DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00384978 (D.D.)

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

2. BOR DKT. 00360586 (G.G.)

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

BOARD OF REVIEW MINUTES– MAY 7, 2025 MEETING

3. BOR DKT. 00348881 (M.S.D.)

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

4. BOR DKT. 00362660 (R.K.)

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

5. BOR DKT. 00352246 (E.C.)

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

6. BOR DKT. 00378785 (J.S.)

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

7. BOR DKT. 00350357 (L.E.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification from 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 for a non-fraud refund.

8. BOR DKT. 00360949 (K.K.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late.

9. BOR DKT. 00369456 (W.L.)

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

10. BOR DKT. 00276617 (L.P.)

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

BOARD OF REVIEW MINUTES– MAY 7, 2025 MEETING

attributable to such work and no disqualification for misconduct connected with the work.

11. BOR DKT. 00350292 (N.E.)

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

12. BOR DKT. 00309229 (P.B.)

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

13. BOR DKT. 00349789 (E.R.)

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

14. BOR DKT. 00365599 (C.P.)

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

15. BOR DKT. 00367322 (C.H.)

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

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

A-8 REVERSED DECISIONS OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00356540 (L.F.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant did not meet reporting requirements.

BOARD OF REVIEW MINUTES– MAY 7, 2025 MEETING

2. BOR DKT. 00362271 (B.K.)

The Deputy appealed the decision of the Appeal Tribunal which held the claim for Disability During Unemployment valid.

3. BOR DKT. 00367033 (E.R.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant did not meet reporting requirements.

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