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DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
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BOARD OF REVIEW

**MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
MAY 13, 2020**

JOSEPH SIEBER, CHAIRMAN

NANCY HUNT, VICE-CHAIRPERSON

WILLIAM SCAGLIONE, MEMBER

SHARAHZAD A. LEDAN, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING MAY 13, 2020

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A regular meeting of the Board of Review was held on Wednesday, May 13, 2020 at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Joseph Sieber, Chairman, Nancy Hunt, Vice-Chairperson, William Scaglione, Member, Sharahzad A. Ledan, Acting 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.

BOARD OF REVIEW MINUTES – MAY 13, 2020 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the May 6, 2020 Board meeting.

ACTION: THE BOARD VOTED TO ADOPT THE MINUTES OF THE MAY 6, 2020 MEETING.

OLD BUSINESS

1. RAYMOND VOLANTO BOR DKT. 00198450

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and liable for a non-fraud refund. **(This case was tabled in the meeting of May 6, 2020 for further discussion in the meeting of May 13, 2020).**

ACTION: THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION HOLDING A VOLUNTARY QUIT DISQUALIFICATION WITH A SENTENCE INCLUDED THAT SUSPENSION DATE IS NOT PERTINENT (NOT DISPOSITIVE).

2. DAWN WAY BOR DKT. 201419

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for misconduct. **(This case was tabled in the meeting of May 6, 2020 for further discussion in the meeting of May 13, 2020).**

ACTION: THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL HOLDING CLAIMANT ELIGIBLE FOR BENEFITS WITH A REWRITE.

3. BROOKE RAUP BOR DKT. 00199703

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily. **(This case was tabled in the meeting of May 6, 2020 for further discussion in the meeting of May 13, 2020).**

BOARD OF REVIEW MINUTES – MAY 13, 2020 MEETING

ACTION: THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL HOLDING NO VOLUNTARY QUIT AND NO REFUSAL OF SUITABLE WORK.

SECTION A – HEARING MATTERS

A-1 DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW

1. DESTANY JOHNSON BOR DKT. 00202512

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

2. DYLAN MONTANINO BOR DKT. 00200902

Claimant filed an appeal to a decision of the Appeal Tribunal holding the claimant disqualified for benefits for leaving work voluntarily.

3. MATTHEW MAURER BOR DKT. 00201831

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

4. STEPHANIE CHAUX BOR DKT. 00203021

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

5. GABRIEL FERRARA BOR DKT. 00203259

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

6. STEPHANIE CARO BOR DKT. 00194142

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

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

BOARD OF REVIEW MINUTES – MAY 13, 2020 MEETING

A-2 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. BRANDON ELIEFF BOR DKT. 00195125

Claimant appealed a decision of the Appeal Tribunal denying his request to reopen for failing to register for the hearing.

2. CHRISTOPHER DORAN BOR DKT. 00201275

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

3. MARYANNE DONAGHY BOR DKT. 00203236

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

4. NANCY RUMP BOR DKT. 00203398

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

5. LUCIA BERNAL BOR DKT. 00201832

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

6. LUCIA BERNAL BOR DKT. 00201835

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

7. PAMELA SHIREY BOR DKT. 00204039

Claimant appealed a decision of the Appeal Tribunal holding her disqualified for misconduct connected with the work.

8. HAYAM HALIM BOR DKT. 00204287

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

9. TIFFANY PERSON BOR DKT. 00204102

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- Claimant appealed a decision of the Appeal Tribunal holding her disqualified for benefits for leaving work voluntarily.
- 10. STEPHEN ZNACZKO** BOR DKT. 00204017
- Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under reporting requirements.
- 11. RODRIGO LANG** BOR DKT. 00204212
- Claimant appealed timely to a decision of the Appeal Tribunal which held a disqualification of benefits for misconduct connected with the work.
- 12. JAN GRABOSKY** BOR DKT. 00203873
- Employer filed a timely appeal to a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.
- 13. RASOOLEH CREIGHTON** BOR DKT. 00204037
- Claimant filed an appeal to a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
- 14. ALICIA BATTLE** BOR DKT. 00204805
- Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
- 15. SURESH KAMATH** BOR DKT. 00204890
- Claimant appealed a decision of the Appeal Tribunal denying the claimant's request for a pre-date of a claim.
- 16. MARIA STEPHEN** BOR DKT. 00198788
- Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
- 17. GABRIELLE WHITE** BOR DKT. 00204153
- Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
- 18. AMBER SELLERS** BOR DKT. 00204812

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

19. BARBARA LANDSMAN-BAYLA BOR DKT. 00205832

Claimant appealed a decision of the Appeal Tribunal which modified the pre-date of an unemployment claim.

20. THOMAS WALICKY BOR DKT. 00204435

Claimant appealed a decision of the Appeal Tribunal holding him ineligible for benefits for not actively seeking work.

21. GABRIEL PUEYO BOR DKT. 00204794

Claimant filed an appeal to a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

22. ANA VIRELLES BOR DKT. 00204921

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

23. ROCCO COLUMBO BOR DKT. 00205094

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

24. SHANNON DOWE BOR DKT. 00199590

Employer appealed a decision of the Appeal Tribunal denying a request to reopen for failing to register for a hearing.

25. SHAWN HAMILTON BOR DKT. 00204863

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

26. QUADIQ WILLIAMS BOR DKT. 00204176

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

BOARD OF REVIEW MINUTES – MAY 13, 2020 MEETING

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

A-3 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. KATHERINE MCDONALD BOR DKT. 00186378

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

ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASE AS A MODIFICATION OF AN APPEAL TRIBUNAL DECISION.

A-4 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. JULIO RIVERA BOR DKT. 00204422

Claimant filed an appeal to a decision of the Appeal Tribunal holding him discharged for misconduct connected with the work.

2. BRENDA BELLAMY BOR DKT. 00194825

The claimant filed a timely appeal to a decision of the Appeal Tribunal holding the claimant's claim invalid.

3. DENISSE GERMOSEN BOR DKT. 00203652

Employer appealed the decision of the Appeal Tribunal which held the claimant unemployed and not liable for a non-fraud refund.

4. RODNEY THOMAS BOR DKT. 00204822

Employer appealed a decision of the Appeal Tribunal holding the claimant not disqualified for benefits for leaving work voluntarily and for misconduct connected with the work.

5. BRIAN KEARNEY BOR DKT. 00204480

Employer appealed a decision of the Appeal Tribunal holding the employer liable for benefit charges on the claim.

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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 RANDY RAISNER

BOR DKT. 00202581

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

ACTION: THE BOARD VOTED TO REMAND THIS CASE FOR CLAIMANT TO PRODUCE PAYROLL RECORDS TO SHOW THAT EMPLOYMENT WITH EMPLOYER AS 40 HOURS OR PAY WAS EQUAL TO HIS FIRST JOB.

B-2 DOMINICK CARRATURE

BOR DKT. 00194030

Employer filed a timely appeal to 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 AS IS, HOLDING NO DISQUALIFICATION OF BENEFITS FOR MISCONDUCT CONNECTED WITH THE WORK.