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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 19, 2021**

**NANCY HUNT, CHAIRPERSON**

**WILLIAM SCAGLIONE, VICE-CHAIR**

**MARIA ZOLA, ACTING EXECUTIVE SECRETARY**

**BOARD OF REVIEW MEETING MAY 19, 2021**

**MAY 19, 2021**

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**A regular meeting of the Board of Review was held on Wednesday, May 19, 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 19, 2021 MEETING

### BOARD MINUTES:

Submitted for adoption are the minutes of the May 12, 2021 Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE MAY 12, 2021, AGENDA MEETING.**

### OLD BUSINESS:

1. LAURA WALLACE BOR DKT. 00222476

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed and a liability for a non-fraud refund. **(This case was tabled in the meeting of March 10, 2021 for further consideration.)**

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION.**

2. RENEE WILLIAMS BOR DKT. 00216964

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) and liable for a non-fraud refund. **(This case was tabled in the meeting of March 31, 2021 for further review of Division records regarding the claimant's certification for benefits.)**

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION.**

3. CHRISTINA EBERT BOR DKT. 00226389

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for refusing suitable work. **(This case was tabled in the meeting of April 28, 2021 for further review.)**

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION.**

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4. RODRIGO HERNANDEZ BOR DKT. 00221113

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and liable for non-fraud refund. **(This case was decided in the meeting of April 28, 2021. However, it was placed on this agenda for further consideration.)**

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION.**

5. MARIA ENGEL BOR DKT. 00223277

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed. **(This case was tabled in the meeting of April 7, 2021 for further review regarding the reason for the claimant's appeal to the Appeal Tribunal.)**

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION.**

### **SECTION A – HEARING MATTERS**

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

1. ELIZABETH RENAUD BOR DKT. 00231735

Claimant's communication to the Board of Review was erroneously processed as an appeal to a decision of the Appeal Tribunal holding no refund liability.

2. LIANE HASNER BOR DKT. 00223455

Claimant's letter was erroneously processed as an appeal to the Appeal Tribunal's decision holding the claimant liable for a non-fraud refund.

3. MARIA RAMIREZ BOR DKT. 00211790

Claimant's correspondence was erroneously processed as an appeal of a disqualification of 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 19, 2021 MEETING

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

### **A-2 DISMISSALS OF LATE APPEALS OR NO JUSTICIABLE ISSUE TO THE BOARD OF REVIEW**

**1. ROBYN RECTOR-WESLEY** **BOR DKT. 00233578**

Claimant appealed a decision of the Appeal Tribunal mailed on 10/24/12 holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

**2. THOMAS MCCARROLL** **BOR DKT. 00214275**

Employer appealed a decision of the Appeal Tribunal which dismissed the employer's appeal as late without good cause.

**3. CARLA DEGAGLIA** **BOR DKT. 00230380**

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

**4. MARCIA DE LEON** **BOR DKT. 00226449**

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. QUASHERRA JACKSON** **BOR DKT. 00231403**

Claimant appealed a decision of the Appeal Tribunal holding her ineligible for regular unemployment benefits under availability for work, ineligible for Pandemic Unemployment Assistance (PUA) benefits under the CARES Act and a liability to a non-fraud refund.

**6. SANDRA PERRY** **BOR DKT. 00215306**

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

**7. NAZAN LAYIK** **BOR DKT. 00226132**

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

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8. ALLYSON WHITE BOR DKT. 00218161

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

9. SHAWNE BEEPOT BOR DKT. 00233134

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. (Board voted to table this case for further review).

**ACTION: BOARD VOTED TO ACCEPT THE REMAINING CASES AS DISMISSALS OF LATE APPEALS OR NO JUSTICIABLE ISSUE TO THE BOARD OF REVIEW.**

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

1. TARA RAPATTONI BOR DKT. 00212449

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision which held the claimant disqualified for benefits for leaving work with employer #1 voluntarily without good cause attributable to the work.

2. RAHEEN MELVIN BOR DKT. 00193895

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision which held the claimant disqualified for benefits for misconduct connected with the work.

3. ANTHONY GALASSO BOR DKT. 00215454

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision which held the claimant ineligible for benefits on the ground that he was not unemployed and liable for a non-fraud refund.

4. MARIEL CUNEO BOR DKT. 00205254

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

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

### A-4 REOPENING REQUESTS TO THE BOARD OF REVIEW

1. THERESA RODRIGUEZ BOR DKT. 00198657

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision which dismissed the claimant's appeal as late without good cause.

2. MARJANA POLLOCK BOR DKT. 00208813

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

3. NICOLE GUZZI BOR DKT. 00225739

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision which held the claimant disqualified for benefits for refusal of suitable work.

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

### A-5 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. LESLIE VANDENBREE BOR DKT. 00217131

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.

2. MONICA MARSEDEN BOR DKT. 00228571

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

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3. EDWARD JIN BOR DKT. 00228252

Claimant appealed a 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 (PUC) benefits under the CARES Act, and a liability for a non-fraud refund.

4. BARBARA SPEZIALE BOR DKT. 00230324

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's, and liable for a non-fraud refund.

5. KRISHNA TYLER BOR DKT. 00229741

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed from June 21, 2020 through June 27, 2020, holding the unemployment claim dated June 21, 2020, valid with a reduced weekly benefit rate and a liability to a non-fraud refund.

6. WILLA FELDER BOR DKT. 00231360

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

7. BARBARA UBILLUS BOR DKT. 00231779

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

8. MARIE BARTOLOMEO BOR DKT. 00233131

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. DONNA-MARIE JOHNSON BOR DKT. 00233085

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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### 10. SANTOS GARCIA

BOR DKT. 00233220

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.

### 11. TERESA GRIFFIN

BOR DKT. 00233200

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.

### 12. MARA CRUWYS

BOR DKT. 00233144

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. **(Board voted to remove this case from this category and remand the matter to the Appeal Tribunal for additional testimony from the claimant regarding the impact the pandemic had to her job and business).**

### 13. CHARLES RUIZ

BOR DKT. 00233535

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for discharge for misconduct connected with the work, and no liability for a non-fraud refund.

### 14. ROBERTO CARNERO

BOR DKT. 00232747

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

### 15. ZAKKIYYA PURNELL

BOR DKT. 00233484

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not caused due to one of the COVID-19 related reasons under the CARES Act, and liable for a non-fraud refund. **(Board voted to remove this case from this category and table the matter for further consideration).**

### 16. DURANG ENG

BOR DKT. 00233517

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

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**17. TAPAN SEN** BOR DKT. 00233048

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.

**18. EFRAIN LIZARDO** BOR DKT. 00232725

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

**19. CARRIE KESSLER** BOR DKT. 00232914

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.

**20. FATOUMATA WAGGEH** BOR DKT. 00233457

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

**21. PAULINA KIRSHENBAUM** BOR DKT. 00206613

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

**22. RONALD SANDS** BOR DKT. 00216821

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

**23. RONALD SANDS** BOR DKT. 00229068

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

**24. CASILDA MONGE** BOR DKT. 00230594

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

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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.

**25. JACQUELINE GARCIA** BOR DKT. 00230113

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

**26. JULITTA D'ADAMO** BOR DKT. 00207295

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

**27. JUAN HUACO** BOR DKT. 00229508

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

**28. STEVEN CINES** BOR DKT. 00220153

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

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

### **A-6 AFFIRMED AND MODIFIED DECISIONS OF APPEAL TRIBUNAL DECISIONS**

**1. SUSAN HOLLANDER** BOR DKT. 00229834

Claimant appealed a decision of the Appeal Tribunal holding a transitional claim invalid and the claimant liable for a refund.

**2. NICHOLAS KINTNER** BOR DKT. 00231343

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.

## BOARD OF REVIEW MINUTES – MAY 19, 2021 MEETING

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMED AND MODIFIED DECISIONS OF THE APPEAL TRIBUNAL DECISIONS.**

### A-7 REVERSALS OF APPEAL TRIBUNAL DECISIONS

1. REBIE SPELL BOR DKT. 00226864

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

2. NERSES CHAPANIAN BOR DKT. 00222201

Claimant appealed a decision of the Appeal Tribunal holding the appeal was late with good cause, and ineligible for benefits under availability for work. (Board voted to modify the Appeal Tribunal decision, reverse the timeliness of the appeal, hold claimant eligible for benefits from March 29, 2020 through June 13, 2020, and ineligible for benefits from June 14, 2020 through October 3, 2020).

**ACTION: BOARD VOTED TO ACCEPT THE REMAINING CASE AS REVERSALS OF APPEAL TRIBUNAL DECISIONS.**

### A-8 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. ANDREA LOWERY BOR DKT. 00229288

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

**ACTION: BOARD VOTED TO ACCEPT THIS CASE AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS.**

### A-9 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. JOSE VASQUEZ RECAREY BOR DKT. 00228650

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

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2. MANDEL WILLIAMS BOR DKT. 00231741

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 refusing suitable work.

3. ATIVA BOGLE BOR DKT. 00229259

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 for a non-fraud refund.

4. KIERSTYN SOTO BOR DKT. 00233452

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 ineligible for Pandemic Unemployment Assistance (PUA) benefits.

5. EUNA CHO BOR DKT. 00232724

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. PAIGE VIRGIN BOR DKT. 00233493

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

7. JOSEPH PAVILL BOR DKT. 00233157

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

8. JINNY CHOI BOR DKT. 00231824

Claimant appealed a determination of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance benefits (PUA) under the CARES Act and a liability to a non-fraud refund.

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### 9. DANIEL DODD

BOR DKT. 00231365

Claimant appealed the decision of the Appeal Tribunal holding him disqualified for benefits for leaving work voluntarily without good cause attributable to the work and liable for a non-fraud refund. **(Board voted to affirm the voluntary leaving disqualification and remand the matter to the Appeal Tribunal for testimony from the claimant regarding his subsequent periods of employment and wages with other employers).**

### 10. RICHARD KREUSCH

BOR DKT. 00207400

Claimant appealed a decision of the Appeal Tribunal holding him liable for refund due to the receipt of a Workers' Compensation award.

### 11. LINDSEY KELLY

BOR DKT. 00230946

Claimant appealed a decision of the Appeal Tribunal holding her discharged for misconduct connected with the work and liable for a non-fraud refund.

### 12. KEITH PHILLIPS

BOR DKT. 00232640

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

### 13. ALEXANDRA QUINTANA

BOR DKT. 00240367

Claimant appealed a denial of Pandemic Unemployment Assistance (PUA) benefits and a liability for a non-fraud refund.

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

## A-10 REVERSE AND REMANDED APPEALS TO THE APPEAL TRIBUNAL

### 1. JONATHAN TAVAREZ

BOR DKT. 00233146

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

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS REVERSE AND REMANDED APPEALS TO THE APPEAL TRIBUNAL.**

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

**B-1** RAMON GARCIA BOR DKT. 00220286

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

**ACTION: BOARD VOTED TO DISMISS THIS CASE AS A LATE APPEAL TO THE BOARD OF REVIEW.**

**B-2** KRISTI KIDD BOR DKT. 00233078

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 refund. (**Appellate Specialist Matos**)

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL DECISION AND ADD TO THE AFFIRMATION THAT THE CLAIMANT BONA-FIDE OFFER OF WORK WAS NOT RESCINDED BY THE EMPLOYER. RATHER, THE CLAIMANT DECLINED THE OFFER OF WORK.**

**B-3** MADELINE DE JESUS BOR DKT. 00227883

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. (**Appellate Specialist Matos**)

**ACTION: BOARD VOTED TO TABLE THIS CASE IN ORDER TO RE-MAIL THE TIMELINESS LETTER TO THE CLAIMANT AT THE CURRENT ADDRESS.**

## BOARD OF REVIEW MINUTES – MAY 19, 2021 MEETING

**B-4** CHARLES CALY

BOR DKT. 00232948

Claimant appealed the decision of the Appeal Tribunal which held the claimant ineligible for extended benefits. (**Appellate Specialist Matos**)

**ACTION: BOAD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL TO ADDRESS WHETHER THE CLAIMANT FILED A TIMELY APPEAL, AND WHETHER THE CLAIMANT IS ELIGIBLE FOR BENEFITS FROM APRIL 26, 2020 THROUGH JUNE 6, 2020.**