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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  
JUNE 10, 2020**

**JOSEPH SIEBER, CHAIRMAN**

**NANCY HUNT, VICE-CHAIRPERSON**

**WILLIAM SCAGLIONE, MEMBER**

**SHARAHZAD A. LEDAN, ACTING EXECUTIVE SECRETARY**

**BOARD OF REVIEW MEETING JUNE 10, 2020**

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**A regular meeting of the Board of Review was held on Wednesday, June 10, 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, Keith Austin, Director.**

**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 – JUNE 10, 2020 MEETING

### BOARD MINUTES:

Submitted for adoption are the minutes of the June 3, 2020 Board meeting.

**ACTION: THE BOARD VOTED TO ADOPT THE MINUTES OF THE JUNE 3, 2020 OPEN PUBLIC MEETING.**

### OLD BUSINESS:

**1. ANTOINE BROWN**

BOR DKT. 00184207

Employer appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work. **(This case was tabled in the meeting of June 3, 2020, to be discussed further in the meeting of June 10, 2020).**

**ACTION: THE BOARD VOTED TO MODIFY THE APPEAL TRIBUNAL'S DECISION AND HOLD NO VOLUNTARY QUIT AND NO MISCONDUCT. CHAIRMAN SIEBER MADE A MOTION TO DO SO AND WAS SECONDED BY BOARD MEMBER SCAGLIONE. VICE CHAIRPERSON HUNT ABSTAINED FROM VOTING IN THIS MATTER.**

**2. MICHAEL KELLY**

BOR DKT. 00204639

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work. **(This case was tabled in the meeting of June 3, 2020, to be further discussed in the meeting of June 10, 2020).**

**ACTION: THE BOARD VOTED TO REMOVE THIS CASE FROM THE AGENDA AS IT WAS PLACED ON THIS AGENDA IN ERROR. THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION IN THIS CASE IN THE MEETING OF JUNE 3, 2020.**

## BOARD OF REVIEW MINUTES – JUNE 10, 2020 MEETING

### SECTION A – HEARING MATTERS

#### A-1 WITHDRAWAL OF APPEALS

1. CAMILLE BRESSMAN BOR DKT. 00198414

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

**ACTION: THE BOARD VOTED TO ACCEPT THIS CASE AS A WITHDRAWAL OF AN APPEAL TO THE BOARD OF REVIEW.**

#### A-2 VACATED APPEALS TO THE BOARD OF REVIEW

1. MICHELE BERNICH BOR DKT. 00195614

Claimant is not appealing a decision of the Appeal Tribunal denying his request for an alternative base year after a period of disability.

2. LACY HOBBS BOR DKT. 00197537

Claimant's appeal is being vacated as the appeal was set up in error.

3. CHRISTINE EXUM BOR DKT. 00202011

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

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

#### A-3 DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW

1. CIARA MANN BOR DKT. 00200096

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

## BOARD OF REVIEW MINUTES – JUNE 10, 2020 MEETING

- 2. DAVID DOTY** BOR DKT. 00196520

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.
- 3. PETER DOMBROWSKI** BOR DKT. 00198629

claimant is appealing the Appeal Tribunal decision withdrawing his appeal.
- 4. WILLIE HARRIS** BOR DKT. 00198822

claimant appealed the decision of the Appeal Tribunal holding the claimant disqualified for benefits for leaving work voluntarily.
- 5. LATISHA JOHN** BOR DKT. 00199938

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
- 6. JOHN VECCHIONE** BOR DKT. 00204147

Claimant appealed the decision of the Appeal Tribunal holding the claim invalid.
- 7. BRIAN LOBODA** BOR DKT. 00195993

Claimant is appealing the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.
- 8. AMBER EDWARDS** BOR DKT. 00198108

Claimant appealed decision of the Appeal Tribunal holding a disqualification for leaving the work voluntarily without good cause attributable to such work.
- 9. AMBER EDWARDS** BOR DKT. 00198106

Claimant appealed decision of the Appeal Tribunal holding a disqualification for leaving the work voluntarily without good cause attributable to such work.
- 10. SHAKEERAH KEMP** BOR DKT. 00204892

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

## BOARD OF REVIEW MINUTES – JUNE 10, 2020 MEETING

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

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

1. MARIA MAURICIO BOR DKT. 00201824

Claimant is requesting a reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

2. MARIA MAURICIO BOR DKT. 00201826

Claimant is requesting a reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding a period of ineligibility on the ground the claimant did not report in accordance with the regulations of the Division.

3. CATHERINE BAKAR BOR DKT. 00201787

Claimant is requesting a reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work.

4. SARAH PENFOLD BOR DKT. 00194338

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

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

### **A-5 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS**

1. DAVID JUNO BOR DKT. 00206066

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

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**2. JOSE LANDERS** BOR DKT. 00205378

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

**3. STEPHANIE CRUZ** BOR DKT. 00203816

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

**4. NICOLE JONES** BOR DKT. 00204972

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

**5. TATYANA KHVOSTOVA** BOR DKT. 00200686

Claimant appealed the decision of the Appeal Tribunal holding the claim invalid, no requalifying wages.

**6. LAYNE BUCKINGHAM** BOR DKT. 00206219

Claimant appealed the decision of the Appeal Tribunal holding the claim invalid due to corporate officer status.

**7. KELLIE URIGUEN** BOR DKT. 00200391

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

**8. JOHANNA ESTRADA** BOR DKT. 00204548

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

**9. AMARJIT KAUR** BOR DKT. 00194893

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility under predate.

**10. TRACY KERNS** BOR DKT. 00206065

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

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**11. EILEEN HANSON** BOR DKT. 00205911

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

**12. CLAIRE BRACISZEWSKI** BOR DKT. 00185155

The claimant appealed a decision of the Appeal Tribunal which denied the request to reopen.

**13. PAULA PERSONS** BOR DKT. 00204867

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

**14. DOUGLAS CAMPBELL** BOR DKT. 00203568

The claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid and the claimant liable for a non-fraud refund.

**15. DOUGLAS CAMPBELL** BOR DKT. 00203571

The claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid and the claimant liable for a non-fraud refund.

**16. DOUGLAS CAMPBELL** BOR DKT. 00203572

The claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid and the claimant liable for a non-fraud refund.

**17. LORRAINE GUZMAN** BOR DKT. 00206604

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

**18. ELBA MORA** BOR DKT. 00206068

Claimant appealed decision of the Appeal Tribunal holding a period of ineligibility on the ground that the claimant did not report in accordance with Division regulations.

**19. RYAN SCHUREMAN** BOR DKT. 00207140

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

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**20. VIVIAN AYALA** BOR DKT. 00206477

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

**21. KIMBERLY PURDIE** BOR DKT. 00206686

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

**22. WILLIAM GARRETT** BOR DKT. 00206738

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

**23. JOHN BONAMO** BOR DKT. 00202060

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

**24. OMAR ELSHAIRF** BOR DKT. 00207223

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

**25. TERRENCE BERGER** BOR DKT. 00206993

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

**26. NORA CUCALON** BOR DKT. 00207934

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

**27. EDGAR BRAVO** BOR DKT. 00207692

Employer #1 appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily, and no disqualification of benefits for discharge for misconduct connected with the work. **(The Board voted to table this matter to a future agenda to allow time for the Appellate Specialist to review this case)**

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### 28. HILLARY RAYMOND

BOR DKT. 00203723

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility under asw and liable for refund.

**ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE 27 CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS, WITH THE EXCEPTION OF NUMBER 27. EDGAR BRAVO. THIS CASE WAS REMOVED FROM THE AFFIRMATION LIST AND TABLED TO A LATER DATE TO ALLOW TIME FOR THE APPELLATE SPECIALIST TO REVIEW. BOARD MEMBER SCAGLIONE ABSTAINED FROM VOTING ON THIS CASE AS HE CONDUCTED TO THE APPEAL TRIBUNAL HEARING IN THIS MATTER.**

### A-6 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

#### 1. BERNARD JIMENEZ

BOR DKT. 00192597

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

#### 2. MILANJ COURSEY

BOR DKT. 00204404

Claimant appealed the decision of the Appeal Tribunal holding the claim invalid due to insufficient weeks and wages.

#### 3. ROBERT SLIKER

BOR DKT. 00205757

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

#### 4. BHARAT PATEL

BOR DKT. 00207656

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

#### 5. MICHAEL HOLMAN

BOR DKT. 00198613

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 – JUNE 10, 2020 MEETING

6. JULISSA TORRES-DAVILA

BOR DKT. 00200442

Employer appealed the decision of the Appeal Tribunal holding no disqualification under 5(a) or 5(b).

**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 ROBERT WHITE

BOR DKT. 00198472

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

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

B-2 SHATASHEIA LYON

BOR DKT. 00205299

Claimant appealed the decision of the Appeal Tribunal holding the claimant disqualified for benefits for leaving work voluntarily. (**Appellate Specialist Keller**)

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

B-3 ROGER SHEUER

BOR DKT. 00205219

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily. (**Appellate Specialist Keller**)

**ACTION: THE BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION AND HOLD A VOLUNTARY QUIT DISQUALIFICATION.**

## BOARD OF REVIEW MINUTES – JUNE 10, 2020 MEETING

**B-4** CLARA HILL BOR DKT. 00206011

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause. (**Appellate Specialist Keller**)

**ACTION: THE BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION, HOLDING THE CLAIMANT'S APPEAL LATE WITH GOOD CAUSE TO THE APPEAL TRIBUNAL AND REMAND FOR A NEW DECISION.**

**B-5** SHANNON JOHNSON BOR DKT. 00201320

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

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

**B-6** ROBIN REINHARD BOR DKT. 00205327

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

**ACTION: THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION HOLDING A VOLUNTARY LEAVING DISQUALIFICATION.**

**B-7** VIRGINIA MAZZEO BOR DKT. 00206543

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

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

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**B-8** XZAVIA HALL BOR DKT. 00205872

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

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

**B-9** NEHIA PATADIA BOR DKT. 00205901

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily. (**Appellate Specialist Zola**)

**ACTION: THE BOARD VOTED TO REMAND THIS CASE FOR MORE INFORMATION.**

**B-10** ANGELA TERZI BOR DKT. 00207179

Employer appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work. (**Appellate Specialist Zola**)

**ACTION: THE BOARD VOTED TO REMAND THIS CASE FOR ADDITIONAL TESTIMONY.**

**B-11** EMANUEL SANTIAGO BOR DKT. 00206954

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

**ACTION: THE BOARD VOTED TO TABLE THIS CASE TO A FUTURE AGENDA.**

**B-12** WILLIAM REYES BOR DKT. 00204966

Claimant appealed decision of the Appeal Tribunal holding a disqualification for gross misconduct connected to the work and holding the claimant liable for a non-fraud refund. (**Appellate Specialist Alverio**)

## BOARD OF REVIEW MINUTES – JUNE 10, 2020 MEETING

**ACTION: THE BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR THE REASONS DISCUSSED.**

**B-13 BRITTANY MUÑOZ**

BOR DKT. 00207279

Claimant appealed decision of the Appeal Tribunal holding the claim invalid on the ground that there were insufficient weeks and wages to establish a valid claim. (Appellate Specialist Alverio)

**ACTION: THE BOARD VOTED TO TABLE THIS CASE TO A FUTURE AGENDA TO ALLOW TIME TO CONTACT THE DEPUTY.**

**B-14 PAWEL JARMUSZCZAK**

BOR DKT. 00203930

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause. (Appellate Specialist Jackson)

**ACTION: THE BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION ON TIMELINESS OF THE APPEAL AND HOLD LATE WITH GOOD CAUSE AND REMAND THE MATTER DUE TO LIMITED ENGLISH PROFICIENCY (L.E.P.).**

**B-15 SAHAR ELSHERIF**

BOR DKT. 00206949

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

**ACTION: THE BOARD VOTED TO REMAND THIS MATTER TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY REGARDING CLAIMANT'S CHANGE IN HOURS OF WORK.**