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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  
OCTOBER 16, 2024**

**LISA HART, VICE-CHAIRPERSON**

**ERIC OLSEN, MEMBER**

**MARYANN MORAN-SMYTH, EXECUTIVE SECRETARY**



**BOARD OF  
REVIEW**

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**BOARD OF REVIEW MEETING OF OCTOBER 16, 2024**

**OCTOBER 16, 2024**

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**A regular meeting of the Board of Review was held on Wednesday, OCTOBER 16, 2024, at 10:00 a.m., via conference call, in Trenton, New Jersey**

**PRESENT: Lisa Hart, Vice-Chairperson, Eric Olsen, Member Maryann Moran-Smyth, 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 – OCTOBER 16, 2024 MEETING**

### **BOARD MINUTES:**

Submitted for adoption are the minutes of the October 9, 2024 Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE OCTOBER 9, 2024, BOARD MEETING.**

### **SECTION A – HEARING MATTERS:**

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

**1. BOR DKT. 00320310 (M.S.G.)**

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

**2. BOR DKT. 00322602 (J.B.)**

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

**3. BOR DKT. 00257707 (A.C.)**

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

**4. BOR DKT. 00326374 (L.M.)**

Employer's communication was processed as an appeal of the decision of the Appeal Tribunal which held the claimant disqualified for benefits for leaving work voluntarily without good cause attributable to the work.

**5. BOR DKT. 00338732 (R.H.)**

Claimant's communication was processed as an appeal of the decision of the Appeal Tribunal which held the claimant ineligible for benefits under availability for work.

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

## BOARD OF REVIEW MINUTES – OCTOBER 16, 2024 MEETING

### A-2 DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUE

1. BOR DKT. 00328110 (C.K.)

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

2. BOR DKT. 00306739 (J.C.)

Employer's correspondence was erroneously processed as an appeal to the decision of the Appeal Tribunal holding the claimant allowed under the amended voluntary leaving statute.

3. BOR DKT. 00330032 (D.S.)

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

6. BOR DKT. 00330153 (A.J.G.)

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

7. BOR DKT. 00259518 (T.A.V.)

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.

8. BOR DKT. 00319335 (M.T.J.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed and a liability for a non-fraud refund.

9. BOR DKT. 00338713 (J.S.)

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 DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUES.**

## **BOARD OF REVIEW MINUTES – OCTOBER 16, 2024 MEETING**

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

**1. BOR DKT. 00268833 (J.M.)**

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

**2. BOR DKT. 00340087 (F.V.)**

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

**3. BOR DKT. 00337354 (K.D.)**

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.

**4. BOR DKT. 00330742 (C.B.)**

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

**5. BOR DKT. 00323384 (J.B.)**

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

**6. BOR DKT. 00332682 (A.C.)**

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

**7. BOR DKT. 00335362 (J.M.)**

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

**8. BOR DKT. 00338515 (J.R.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.

## **BOARD OF REVIEW MINUTES – OCTOBER 16, 2024 MEETING**

**9. BOR DKT. 00313919 (D.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.

**10. BOR DKT. 00335339 (A.M.)**

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 "C.A.R.E.S." Act).

**11. BOR DKT. 00304074 (E.T.)**

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

**12. BOR DKT. 00291862 (B.D.)**

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

**13. BOR DKT. 00342045 (M.S.)**

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

**14. BOR DKT. 00322602 (M.T.)**

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

**15. BOR DKT. 00294782 (N.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.

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### **16. BOR DKT. 00337703 (P.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.

### **17. BOR DKT. 00337312 (S.J.)**

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

### **18. BOR DKT. 00331886 (F.D.)**

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

### **19. BOR DKT. 00330644 (S.A.)**

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

### **20. BOR DKT. 00335455 (C.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.

### **21. BOR DKT. 00328011 (R.W.)**

Claimant appealed a decision of the Appeal Tribunal holding the claimant not unemployed, and liable for a non-fraud refund.

### **22. BOR DKT. 00333719 (J.G.)**

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

### **23. BOR DKT. 00345822 (S.A.)**

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

## **BOARD OF REVIEW MINUTES – OCTOBER 16, 2024 MEETING**

**24. BOR DKT. 00314347 (Y.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 and a liability for a non-fraud refund.

**25. BOR DKT. 00340750 (N.H.)**

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

**26. BOR DKT. 00338263 (L.M.M.)**

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

**27. BOR DKT. 00333158 (R.G.)**

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

**28. BOR DKT. 00332069 (C.S.)**

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

**29. BOR DKT. 00348228 (M.W.)**

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

**30. BOR DKT. 00307268 (R.S.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.

**31. BOR DKT. 00307270 (R.S.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.



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### 32. BOR DKT. 00305330 (C.M.)

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

### 33. BOR DKT. 00335898 (D.N.)

Employer 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 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. 00312292 (W.D.)

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

### 2. BOR DKT. 00265598 (C.P.)

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

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

## A-5 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW

### 1. BOR DKT. 00329342 (B.N.)

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 misconduct connected with the work.

## **BOARD OF REVIEW MINUTES – OCTOBER 16, 2024 MEETING**

**2. BOR DKT. 00327996 (A.E.)**

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

**3. BOR DKT. 00288825 (D.R.)**

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

**4. BOR DKT. 00323705 (K.S.)**

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

**5. BOR DKT. 00322567 (L.J.)**

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

**6. BOR DKT. 00327115 (V.V.)**

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. 00284096 (A.I.)**

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

**8. BOR DKT. 00334046 (S.R.)**

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

**9. BOR DKT. 00331240 (V.S.)**

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

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### 10. BOR DKT. 00327601 (E.D.)

Employer appealed a decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily without good attributable to the work, and not liable for the non-fraud refund.

### 11. BOR DKT. 00332346 (M.L.A.)

Claimant appealed a decision of the Appeal Tribunal holding a disqualification due to willful misrepresentation, a liability for fines, and a refund liability.

### 12. BOR DKT. 00332348 (M.L.A.)

Claimant appealed a decision of the Appeal Tribunal holding a disqualification due to willful misrepresentation, a liability for fines, and a refund liability.

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

## A-6 REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

### 1. BOR DKT. 00346689 (C.P.)

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

### 2. BOR DKT. 00341479 (S.A.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification from benefits for misconduct connected with the work and a liability for a non-fraud refund.

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

## **BOARD OF REVIEW MINUTES – OCTOBER 16, 2024 MEETING**

### **A-7 REVERSED DECISIONS OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW**

#### **1. BOR DKT. 00332303 (I.W.)**

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

#### **2. BOR DKT. 00332276 (R.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.

#### **3. BOR DKT. 00342933 (J.K.)**

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

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REVERSED DECISION OF THE APPEAL TRIBUNAL AND/OR DEPUTY BY THE BOARD OF REVIEW.**