



PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 937, TRENTON, NEW JERSEY 08625-0937

ROBERT ASARO-ANGELO
Commissioner

BOARD OF REVIEW

TAKE NOTICE THAT PURSUANT TO THE OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-6 ET. SEQ., THE NEW JERSEY DEPARTMENT OF LABOR BOARD OF REVIEW HAS SCHEDULED AN OPEN PUBLIC MEETING TO DISCUSS THE ATTACHED AGENDA ON MAY 22, 2024, AT 10:00 AM. THE OPEN PUBLIC MEETING WILL BE HELD VIA TELEPHONE CONFERENCE CALL. THE TELECONFERENCE PHONE NUMBER IS 1 (856) 338-7074 AND THE CONFERENCE ID IS 834 916 087#. IN ACCORDANCE WITH P.I.I. REGULATIONS THE IDENTIFYING CRITERIA WILL BE CLAIMANT INITIALS ONLY AND THE DOCKET NUMBER.

**AGENDA OF REGULAR MEETING OF
THE BOARD OF REVIEW
MAY 22, 2024**

WILLIAM SCAGLIONE, CHAIRPERSON

LISA HART, VICE-CHAIRPERSON

MARIA ZOLA, ACTING EXECUTIVE SECRETARY



**BOARD OF
REVIEW**

"Opportunity. Stability. Dignity."

*New Jersey is an Equal Opportunity Employer
Printed on Recycled and Recyclable Paper*

AD-18.94 (9/23)

BOARD OF REVIEW MEETING - MAY 22, 2024, AGENDA

BOARD MINUTES:

Submitted for adoption are the minutes of the May 15, 2024, Board meeting.

ACTION:

OLD BUSINESS:

1. BOR DKT. 00286769 (L.L.)

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work. **(This case was erroneously placed on the Agenda of May 15, 2024. However, the matter is still pending.)**

ACTION:

SECTION A – HEARING MATTERS:

A-1 VACATED APPEALS BY THE BOARD OF REVIEW

1. BOR DKT. 00316160 (M.M.)

Claimant's letter was docketed in error as an appeal to the Board of Review.

2. BOR DKT. 00317419 (E.L.)

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

3. BOR DKT. 00302465 (S.C.)

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

ACTION:

BOARD OF REVIEW MEETING - MAY 22, 2024, AGENDA

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

1. BOR DKT. 00317658 (M.N.)

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

2. BOR DKT. 00307463 (G.A.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant was not unemployed.

3. BOR DKT. 00256473 (P.A.)

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.

4. BOR DKT. 00297265 (G.T.)

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons under Section 2102(a)(3)(A)(ii)(I) of the Coronavirus Aid, Relief, and Economic Security Act (C.A.R.E.S.) Act.

5. BOR DKT. 00313976 (J.A.)

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

6. BOR DKT. 00301321 (C.T.)

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

7. BOR DKT. 00294945 (A.B.J.)

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

8. BOR DKT. 00301657 (T.B.)

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

BOARD OF REVIEW MEETING - MAY 22, 2024, AGENDA

ACTION:

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

1. BOR DKT. 00322084 (M.B.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund which resulted from an Appeal Tribunal decision under a different docket.

2. BOR DKT. 00298957 (J.W.)

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

3. BOR DKT. 00323086 (C.V.)

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

4. BOR DKT. 00324017 (C.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.

5. BOR DKT. 00284707 (T.O.)

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

6. BOR DKT. 00319074 (J.V.)

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

7. BOR DKT. 00285581 (J.C.)

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

BOARD OF REVIEW MEETING - MAY 22, 2024, AGENDA

8. BOR DKT. 00324083 (M.C.)

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Mixed Earners Unemployment Compensation (MEUC) benefits.

9. BOR DKT. 00317461 (B.O.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability for work and liable for refund.

10. BOR DKT. 00287775 (C.S.)

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 for a non-fraud refund.

11. BOR DKT. 00320088 (N.C.)

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

12. BOR DKT. 00319537 (A.N.)

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

13. BOR DKT. 00321952 (S.B.)

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

14. BOR DKT. 00314782 (D.S.)

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

15. BOR DKT. 00266756 (P.M.)

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

BOARD OF REVIEW MEETING - MAY 22, 2024, AGENDA

16. BOR DKT. 00275703 (N.B.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant's weekly gross earnings greater than his partial weekly benefit rate and a liability to a non-fraud refund.

17. BOR DKT. 00276440 (J.M.)

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

18. BOR DKT. 00274119 (D.S.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Extended Benefits.

19. BOR DKT. 00275374 (M.J.)

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

20. BOR DKT. 00321336 (S.S.)

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

21. BOR DKT. 00314585 (J.L.)

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.

22. BOR DKT. 00314586 (J.L.)

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.

23. BOR DKT. 00318383 (C.C.)

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

24. BOR DKT. 00262902 (M.S.)

Claimant appealed the decision of the Appeal Tribunal holding an ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's

BOARD OF REVIEW MEETING - MAY 22, 2024, AGENDA

unemployment was not due to one of the COVID-19 related reasons identified in the C.A.R.E.S. Act and a liability to a non-fraud refund.

25. BOR DKT. 00313780 (K.D.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed.

26. BOR DKT. 00307058 (M.R.)

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

27. BOR DKT. 00326428 (D.C.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Mixed Earners Unemployment Compensation (MEUC) benefits as the claimant did not have a Pandemic Unemployment Assistance (PUA) claim.

28. BOR DKT. 00287712 (M.S.)

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

29. BOR DKT. 00272571 (E.G.)

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

30. BOR DKT. 00326592 (P.I.)

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Mixed Earners Unemployment Compensation (MEUC).

31. BOR DKT. 00280329 (J.M.)

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 for a non-fraud refund.

32. BOR DKT. 00323367 (R.M.)

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

BOARD OF REVIEW MEETING - MAY 22, 2024, AGENDA

33. BOR DKT. 00316936 (L.B.)

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of Pandemic Unemployment Assistance (PUA) benefits as the claimant did not provide proof of a labor market attachment and a liability for a non-fraud refund.

34. BOR DKT. 00322310 (B.F.)

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

35. BOR DKT. 00282157 (P.O.)

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

36. BOR DKT. 00326121 (M.P.)

Claimant appealed a denial of Mixed Earners Unemployment Compensation (MEUC) benefits as the claimant did not meet the criteria under Section 2102(a)(3)(A) and 2104(b)(1)(C) of the Coronavirus Aid, Relief, and Economic Security Act (C.A.R.E.S.) Act and the Continued Assistance of Unemployment Workers Act.

37. BOR DKT. 00323996 (Y.K.)

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

38. BOR DKT. 00303326 (K.C.)

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

39. BOR DKT. 00267401 (A.C.)

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

ACTION:

BOARD OF REVIEW MEETING - MAY 22, 2024, AGENDA

A-5 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. BOR DKT. 00301892 (R.K.)

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

ACTION:

A-6 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00277061 (M.B.)

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

2. BOR DKT. 00267713 (D.M.)

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

3. BOR DKT. 00323564 (E.S.)

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

4. BOR DKT. 00296630 (A.S.)

Employer #1 appealed the decision of the Appeal Tribunal holding no disqualification for benefits for misconduct connected with the work and no disqualification for leaving work voluntarily without good cause attributable to such work.

5. BOR DKT. 00269707 (J.W.)

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

6. BOR DKT. 00309786 (A.O.)

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

BOARD OF REVIEW MEETING - MAY 22, 2024, AGENDA

7. BOR DKT. 00308625 (D.B.)

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

8. BOR DKT. 00317703 (J.V.)

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits and no liability for a non-fraud refund.

9. BOR DKT. 00290282 (K.S.)

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 for a non-fraud refund.

10. BOR DKT. 00290283 (K.S.)

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 for a non-fraud refund.

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

12. BOR DKT. 00317654 (R.K.)

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

13. BOR DKT. 00290751 (P.M.)

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

14. BOR DKT. 00285797 (T.E.)

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

BOARD OF REVIEW MEETING - MAY 22, 2024, AGENDA

15. BOR DKT. 00290929 (M.M.)

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.

16. BOR DKT. 00325828 (M.F.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Mixed Earners Unemployment Compensation (MEUC) benefits.

17. BOR DKT. 00287972 (J.C.)

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

18. BOR DKT. 00317461 (B.O.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability for work and liable for refund.

ACTION:

A-7 REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. BOR DKT. 00261823 (B.M.)

Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter as the claimant did not request within 180 days subsequent to the dismissal without prejudice.

2. BOR DKT. 00314401 (J.W.)

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

3. BOR DKT. 00314402 (J.W.)

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

ACTION:

BOARD OF REVIEW MEETING - MAY 22, 2024, AGENDA

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

1. BOR DKT. 00314330 (C.N.)

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

ACTION:

A-9 REQUEST FOR RECONSIDERATION FROM THE OFFICE OF THE ATTORNEY GENERAL

1. BOR DKT. 00326131 (M.S.)

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

ACTION:

SECTION B – MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 BOR DKT. 00301892 (R.K.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to such work. (**Appellate Specialist Kotb**)

ACTION:

B-2 BOR DKT. 00302258 (J.P.L.)

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause. The claimant's attorney has requested the board reopen this matter for reconsideration. (**Appellate Specialist Zola**)

ACTION: