



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lieutenant Governor

State of New Jersey
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. Box 110
TRENTON, NEW JERSEY 08625-0110

ROBERT ASARO-ANGELO
Commissioner

BOARD OF REVIEW

**MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
SEPTEMBER 1, 2021**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

ANDREA JACKSON, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING SEPTEMBER 1, 2021

SEPTEMBER 1, 2021

.....
A regular meeting of the Board of Review was held on Wednesday, September 1, 2021 at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, Andrea Jackson, 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– SEPTEMBER 1, 2021 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the August 18, 2021 Board meeting.

ACTION: BOARD VOTED TO ACCEPT THE MINUTES OF THE AUGUST 18, 2021, BOARD MEETING WITH THE EXCEPTIONS OF DOCKET #DKT00240560, SECTION A-5, ITEM 26 AND DOCKET # DKT00239865, SECTION A-11 ITEM 32. THESE 2 ITEMS WERE PLACED IN INCORRECT CATEGORIES.

OLD BUSINESS:

1. LACRETTA TRAPP

BOR DKT. 00239865

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Emergency Unemployment Compensation (PEUC) benefits and liable for a non-fraud refund. **(This case was on the Agenda of August 18, 2021 as a Remand to the Appeal Tribunal or Deputy. The Board put this case on this agenda for further discussion.)**

ACTION: BOARD VOTED TO MOVE THIS ITEM FROM THE REMAND CATEGORY TO THE AFFIRMED CATEGORY.

2. DOROTHY HESTER

BOR DKT. 00234880

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work. **(This case was tabled in the meeting of May 26, 2021 to mail non-appearance/registration questionnaire to the employer asking the employer to provide the confirmation number for their registration and explain any attempts to find out why they did not receive a call on the day of the hearing.)**

ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION AS THE EMPLOYER GAVE CONTRADICTORY INFORMATION REGARDING THEIR FAILURE TO PARTICIPATE IN THE HEARING.

BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021 MEETING

3. GERALD QUIGLEY BOR DKT. 00231908

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. **(This case was tabled to a future agenda in order to review the file in conjunction with Docket #: 00231905.)**

ACTION: BOARD VOTED TO REMAND THIS ITEM TO THE APPEAL TRIBUNAL FOR AN AUDIBLE RECORDING.

4. GERALD QUIGLEY BOR DKT. 00231905

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed. **(This case was tabled to a future agenda in order to review the file in conjunction with Docket #: 00231908.)**

ACTION: BOARD VOTED TO REMAND THIS ITEM TO THE APPEAL TRIBUNAL FOR AN AUDIBLE RECORDING.

5. RAYMOND GROSSI BOR DKT. 00235922

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, and liable for refund. **(This case was tabled in the meeting of July 21, 2021 to a future agenda pending further review.)**

ACTION: BOARD VOTED TO MODIFY THE APPEAL TRIBUNAL DECISION AND HOLD THE CLAIMANT DISQUALIFIED FOR REGULAR UNEMPLOYMENT BENEFITS, INELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS, LIABLE FOR REFUND, AND THE ISSUE OF THE CLAIMANT'S AVAILABILITY FOR WORK ACADEMIC TO DECIDE.

6. FLORENCE AMBROSINI BOR DKT. 00231539

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid and liability to a non-fraud refund. **(This case was tabled in the meeting of July 21, 2021 to a future agenda pending further review.)**

BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021 MEETING

ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION WITH AN ADDITIONAL STATEMENT REGARDING THE AGENCY ERROR AND THE TWO DETERMINATION RULE.

7. PAULA PICKARD

BOR DKT. 00238133

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, holding the claimant ineligible for benefits under ability to work and holding no liability for non-fraud refund. **(This case was tabled in the meeting of August 18, 2021, to a future agenda. Board placed this case on this agenda for further discussion.)**

ACTION: BOARD VOTED TO REMAND THIS MATTER TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY REGARDING THE CLAIMANT’S POTENTIAL ELIGIBILITY FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS.

8. SHAWNE BEEPUT

BOR DKT. 00233134

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 liable for a non-fraud refund. **(This case was tabled in the meeting of May 19, 2021 to be placed on a future agenda pending further review.)**

ACTION: BOARD VOTED TO DISMISS THE CLAIMANT’S APPEAL AS IT WAS FILED LATE TO THE BOARD.

9. CARLOS BATISTA

BOR DKT. 00234523

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, ineligible for Pandemic Assistance (PUA) benefits as the claimant’s unemployment was not due to one of the COVID-19 related reasons identified under the CARES Act, and liable for a non-fraud refund. **(This case was tabled in the meeting of August 4, 2021 pending further review.)**

**BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021
MEETING**

ACTION: BOARD VOTED TO REMAND THIS MATTER TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY TO ADDRESS THE CLAIMANT’S STATEMENTS SUBMITTED ON APPEAL TO THE BOARD.

10. YITZCHOK SPITZER

BOR DKT. 00242053

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 liable for a non-fraud refund. **(This case was tabled in the meeting of August 4, 2021, in order to review the claimant’s attorney’s brief.)**

ACTION: BOARD VOTED TO REMAND THIS MATTER TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY REGARDING THE CLAIMANT’S PERIOD OF ILLNESS DUE TO COVID-19.

SECTION A – HEARING MATTERS

A-1 WITHDRAWAL OF APPEALS

1. JAMES TURNER

BOR DKT. 00241089

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits.

2. KIMBERLY SNYDER

BOR DKT. 00242714

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS WITHDRAWALS OF APPEALS.

A-2 VACATED APPEALS TO THE BOARD OF REVIEW

1. LILIANA MARZAN

BOR DKT. 00213048

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

BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021 MEETING

2. JOHNNY ORLANDO BOR DKT. 00232824

Claimant appealed a decision of the Appeal Tribunal imposing a period of ineligibility for benefits from March 29, 2020 on the ground that the claimant was employed full-time.

3. MILOUSE DUTREVILLE BOR DKT. 00225977

Claimant appealed a decision of the Appeal Tribunal imposing an indefinite ineligibility for Pandemic Unemployment Assistance (PUA) on the ground that the claimant was not unemployed due to a qualifying reason identified under C.A.R.E.S. Act, and also imposing an indefinite period of ineligibility for unemployment benefits on the ground that the claimant has been unavailable for work.

4. RAFAEL MONTERO BOR DKT. 00206790

Employer wrote requesting credit for charges assessed to their account after the claimant was held ineligible for benefits under availability for work.

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

**A-3 DISMISSALS OF LATE APPEALS OR NON-JUSTICIABLE ISSUES TO THE BOARD OF
REVIEW**

1. MELITZA VELASQUEZ RAMIREZ BOR DKT. 00230332

Claimant appealed the decision of the Appeal Tribunal imposing a period of ineligibility for benefits on the ground that the claimant was not unemployed.

2. MASHONDA WILLIAMS BOR DKT. 00205302

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

3. KAYLA MCKNIGHT BOR DKT. 00217846

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

BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021 MEETING

4. DAVAN JOASIL **BOR DKT. 00238111**

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 ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified under the CARES Act, and liable for a non-fraud refund.

5. LASHONYA STEVENS **BOR DKT. 00234893**

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

6. DEBORA LAMEL **BOR DKT. 00237064**

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

7. RAMONA ESTEVEZ DURAN **BOR DKT. 00231270**

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

8. KELLYANN WEST **BOR DKT. 00235838**

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

9. RUTH JOSEPH **BOR DKT. 00235780**

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

10. RICHARD ROSENFELD **BOR DKT. 00235655**

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

11. DANIEL MCCOOL **BOR DKT. 00235239**

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

BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021 MEETING

12. ELIZABETH INIRIO SEGURA

BOR DKT. 00208565

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

13. AMMAR NOUAR

BOR DKT. 00238337

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

14. CHRISTOPHER DALY

BOR DKT. 00243093

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.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS DISMISSALS OF LATE APPEALS OR NON-JUSTICIABLE ISSUES TO THE BOARD OF REVIEW.

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

1. MONICA PATEL

BOR DKT. 00198100

Claimant is requesting reconsideration to the Board of Review's decision dismissing the appeal of the Appeal Tribunal's decision which held the claimant disqualified for benefits for leaving work voluntarily without good cause attributable to the work, and liable for a non-fraud refund.

2. WARREN PARKER

BOR DKT. 00206233

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 the work voluntarily without good cause attributable to the work.

BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021 MEETING

3. DAVE BOHNERT BOR DKT. 00226014

Claimant is requesting reconsideration of the Board of Review’s decision dismissing the Appeal Tribunal’s decision which held the claimant not unemployed and liable for a non-fraud refund.

4. KRISTINA VARELA BOR DKT. 00206122

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.

5. EILEEN CICCHETTI BOR DKT. 00217047

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

6. DIPAL PARMAR BOR DKT. 00206396

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.

7. MEDALIT ARAUJO BOR DKT. 00221172

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 the work voluntarily without good cause attributable to the work and liable for a non-fraud refund.

8. IHAB MIKHAIL BOR DKT. 00236222

Claimant is requesting reconsideration of the Board of Review’s decision affirming the Appeal Tribunal’s decision which held the claimant ineligible for Extended Benefits.

9. JESSICA KUDERSKI BOR DKT. 00226264

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 and denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant unemployment was not due to one of the COVID-19 related reasons.

BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021 MEETING

10. MAUREEN NEPVEU

BOR DKT. 00211456

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 with good cause attributable to the work.

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

A-5 REOPENING REQUESTS TO THE BOARD OF REVIEW

1. STEVENSON DEMORCY

BOR DKT. 00244677

Claimant is requesting reconsideration of the Board of Review's decision dismissing the Appeal Tribunal's decision which dismissed the claimant's appeal as late without good cause. **(Board voted to reopen this case and review the record as new evidence shows that the claimant's appeal to the Board of Review is timely).**

2. DEBRA WURSTER

BOR DKT. 00228861

Claimant is requesting reconsideration of the Board of Review's decision dismissing the Appeal Tribunal's decision which held the claimant disqualified for benefits for leaving work voluntarily without good cause attributable to the work. **(Board voted to reopen this case and review the record as new evidence shows that the claimant's appeal to the Board of Review is timely).**

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

A-6 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. ASHLEIGH WALDEN

BOR DKT. 00233436

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal through the mailing date of the determinations as the appeal was late without good cause and liable for a non-fraud refund.

BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021 MEETING

2. KIMBERLY DONALDSON BOR DKT. 00239962

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for extended benefits (EB).

3. SERGIO JIMENEZ BOR DKT. 00239132

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 denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons.

4. QINGSHU PAN BOR DKT. 00236718

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified in the CARES Act and liability for non-fraud refund.

5. JENNIFER JASINSKI BOR DKT. 00240976

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified in the CARES Act and liability for non-fraud refund.

6. KAROLINE VALENTINE BOR DKT. 00239315

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

7. HAN BOK NA BOR DKT. 00238383

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

8. CASSANDRA PAGE BOR DKT. 00231899

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits as the claimant had insufficient weeks and wages to remove a gross misconduct disqualification, 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.

BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021 MEETING

9. SHARON CONRAD BOR DKT. 00240660

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed and ineligible for benefits under ability to work.

10. GIA ZUNIGA BOR DKT. 00237507

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for extended benefits.

11. BENARD RYBNICK BOR DKT. 00237527

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, the claimant's eligibility for benefits under the ability to work and availability for work as academic, and liable for a non-fraud refund.

12. LAYEK HUSAN BOR DKT. 00237420

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily, no disqualification of benefits for discharge for misconduct connected with the work, not ineligible under availability for work, and not liable for a non-fraud refund. **(Board voted to table this case to send a letter to the employer to determine why the employer failed to register and participate in the continued hearing).**

13. CHARLOTTE DEFRANCISCO BOR DKT. 00236092

Claimant appealed a decision of the Appeal Tribunal holding claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as her unemployment was not due to one of the COVID-19 related reasons identified under the CARES Act, and liable for a non-fraud refund. **(Board voted to remove this case from the affirmed category to the dismissed category as the claimant's reason for the late appeal to the Board of Review was without good cause).**

14. ROBERT HARTMAN BOR DKT. 00237800

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

15. YUN HO CHANG BOR DKT. 00239986

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance as the claimant may qualify for unemployment benefits in another state.

**BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021
MEETING**

16. JAVIER SERRANO

BOR DKT. 00241956

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

17. ROBERT SCHAFFER

BOR DKT. 00241161

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, ineligible Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons, and liable for non-fraud refund.

18. ALLISON GIAMPAPA

BOR DKT. 00240236

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.

19. AISHA HALE

BOR DKT. 00241208

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

20. STEVE TUGGLE

BOR DKT. 00243331

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 a non-fraud refund.

21. ALICE CHIU

BOR DKT. 00239002

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

22. GERARDO CARDONA

BOR DKT. 00234463

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified in the CARES Act and a liability to a non-fraud refund.

**BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021
MEETING**

23. DENIS CLARKE

BOR DKT. 00231155

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

24. THERESA WERTHEIM

BOR DKT. 00239253

Claimant appealed a decision of the Appeal Tribunal holding the claims weekly benefit rate (WBR) reduced due to a pension offset, and holding the claimant liable for a non-fraud refund.

ACTION: BOARD VOTED TO ACCEPT THE REMAINING 22 CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS.

A-7 AFFIRMED AND REVERSED DECISIONS TO THE APPEAL TRIBUNAL OR DEPUTY

1. ASHLEY KNOX

BOR DKT. 00229353

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS AN AFFIRMED AND REVERSED DECISION TO THE APPEAL TRIBUNAL OR DEPUTY.

A-8 AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR DEPUTY

1. CHRISTOPHER FORTE

BOR DKT. 00238950

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and the claimant's ineligibility for benefits under availability for work as academic.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS AFFIRMED AND REMANDED DECISION TO THE APPEAL TRIBUNAL OR DEPUTY.

BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021 MEETING

A-9 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. GINA TALIJAN BOR DKT. 00239961

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. JASON CORTES BOR DKT. 00239924

Claimant appealed the 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 (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons, and a liability to an agency refund. **(Board voted to remove this item from the modified category to the affirmed category).**

3. MATTHEW BRAND BOR DKT. 00240750

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and liable for a non-fraud refund. **(Board voted to table this case for further review).**

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

A-10 REQUESTS FOR RECONSIDERATION FROM THE SUPERIOR COURT

1. MIRJANA POLLOCK BOR DKT. 00208813

Claimant appealed a decision of the Appeal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work. **(Board voted to reopen this case and remand to the Appeal Tribunal or Deputy to consider the claimant's potential eligibility for Pandemic Unemployment Assistance (PUA) benefits).**

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REQUEST FOR RECONSIDERATION FROM THE SUPERIOR COURT.

BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021 MEETING

A-11 REQUEST TO REOPEN FOR RECONSIDERATION ON THE BOARDS OWN MOTION

1. ADRIENNE PETROOK BOR DKT. 00240560

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed and liability for non-fraud refund. **(Board voted to reopen and reverse the above case and hold the claimant eligible for Pandemic Unemployment Assistance (PUA) benefits upon further review of UIPL 16-20 change 2).**

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REQUEST TO REOPEN FOR RECONSIDERATION ON THE BOARDS OWN MOTION.

A-12 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. BARBARA MANDEVILLE BOR DKT. 00241031

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 a liability for non-fraud refund.

2. MARIA JAKUPI BOR DKT. 00253083

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

3. CHANTALAE CLOUD BOR DKT. 00238295

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and imposing a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons. **(Board voted to table this case to send a letter to the claimant to determine why the claimant failed to register and participate in the hearing).**

4. ANITA BASHIR BOR DKT. 00241207

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 unemployment was not due to one of the COVID-19 related reasons, and liable for a non-fraud refund.

BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021 MEETING

5. CARMINE DAMATO BOR DKT. 00237552

Employer appealed the 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 misconduct connected with the work and holding the claimant not liable for a non-fraud refund.

6. JEAN FONTANEZ BOR DKT. 00240955

Claimant appealed the decision of the Appeal Tribunal holding the claimant disqualified for benefits for leaving work voluntarily, ineligible for Pandemic Unemployment Assistance and liable for a non-fraud refund.

7. THOMAS CAPIZZI BOR DKT. 00240388

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.

8. DAVID PEREZ BOR DKT. 00241714

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

9. GLENDA ZAVALA BOR DKT. 00220302

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

10. MICHAEL SMITH BOR DKT. 00234613

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits under voluntary leaving and misconduct connected with the work.

11. BRIAN DALTON BOR DKT. 00237944

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

12. DANIEL STEINEN BOR DKT. 00233948

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

**BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021
MEETING**

13. CAROL VENTOLA **BOR DKT. 00231261**

Claimant appealed a decision of the Appeal Tribunal holding the claimant eligible for partial unemployment benefits.

14. ISABELLA GALLO **BOR DKT. 00239589**

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 an agency refund.

15. TOMMY URIBE **BOR DKT. 00125095**

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.

**ACTION: BOARD VOTED TO ACCEPT THE REMAINING 14
CASES AS REMANDS TO THE APPEAL TRIBUNAL OR
DEPUTY.**

A-13 REVERSED AND REMANDED APPEALS TO THE APPEAL TRIBUNAL

1. EDWIN ROJAS ROJAS **BOR DKT. 00241411**

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

2. MAUREEN MCPHERSON **BOR DKT. 00235369**

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

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

BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021 MEETING

A-14 REOPENED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR DEPUTY

1. NIKITA JANODIA

BOR DKT. 00207924

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REOPENED AND REMANDED DECISION TO THE APPEAL TRIBUNAL OR DEPUTY.

SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 MICHAEL COPPOLA

BOR DKT. 00235719

Claimant appealed the decision of the Appeal Tribunal holding the claimant employed full-time, 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 an agency refund. (**Appellate Specialist Jackson**)

ACTION: BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION AND HOLD THE CLAIMANT ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS CITING UIPL 16-20 CHANGE 2.

B-2 RANDY SINGH

BOR DKT. 00208213

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

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

B-3 KEITH SCOTT

BOR DKT. 00239897

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 liability for a non-fraud refund. (**Appellate Specialist Zola**)

**BOARD OF REVIEW MINUTES– SEPTEMBER 1, 2021
MEETING**

**ACTION: BOARD VOTED TO TABLE THIS CASE FOR
FURTHER REVIEW.**

B-4 SABLE WASHINGTON

BOR DKT. 00240436

Employer appealed a decision of the Appeal Tribunal holding the claimant not ineligible for benefits under availability for work, eligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was due to one of the COVID-19 related reasons identified under the CARES Act, and not liable for a non-fraud refund. (**Appellate Specialist Zola**)

**ACTION: BOARD VOTED TO TABLE THIS CASE TO SEND A
LETTER TO THE EMPLOYER TO DETERMINE WHY
THE EMPLOYER FAILED TO REGISTER AND
PARTICIPATE IN THE HEARING.**