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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
SEPTEMBER 20, 2023**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

LISA HART, MEMBER

MARIA ZOLA, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING SEPTEMBER 20, 2023

SEPTEMBER 20, 2023

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A regular meeting of the Board of Review was held on Wednesday, September 20, 2023, at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, Lisa Hart, Member, 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 - SEPTEMBER 20, 2023, MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the September 6, 2023, Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE
SEPTEMBER 6, 2023, BOARD MEETING.**

SECTION A – HEARING MATTERS:

A-1 VACATED APPEALS BY THE BOARD OF REVIEW

1. ROBIN EISNER BOR DKT. 00290733

Claimant appealed the determination of the Deputy holding the claimant employed full-time.

2. ROBIN EISNER BOR DKT. 00290734

Claimant appealed the decision of the Appeal Tribunal holding the claimant employed full-time.

3. ROBERT SAVAGE BOR DKT. 00277466

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

4. CHRISTOPHER TORRELL BOR DKT. 00294173

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

5. SHANEEMAH WILLIAMS BOR DKT. 00338880

Claimant's correspondence was processed as an appeal to a favorable Appeal Tribunal decision.

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

BOARD OF REVIEW MINUTES - SEPTEMBER 20, 2023, MEETING

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

1. JOCLYN SCOTLAND BOR DKT. 00293911

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

2. CAISEY LEE-MOON BOR DKT. 00292930

Claimant appealed the decision of the Appeal Tribunal 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 identified in the C.A.R.E.S. Act and liability for a non-fraud refund.

3. DONALD LUXAMA BOR DKT. 00253304

Claimant appealed the decision of the Appeal Tribunal 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 identified in the C.A.R.E.S. Act.

4. FARZANA QAYYUM BOR DKT. 00293273

Claimant appealed a decision of the Appeal Tribunal holding the claimant disqualified for a period of one year from the date of discovery, and liable for a non-fraud refund and penalties.

5. ONYX GARY BOR DKT. 00288649

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

6. DEHCONTE DAHNSAW BOR DKT. 00288773

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily 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 in the C.A.R.E.S. Act.

7. STEPHANIE REECE-THRESS BOR DKT. 00284203

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

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8. WAJIA FONTANE BOR DKT. 00284108

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 C.A.R.E.S. Act and a liability to a non-fraud refund.

9. JOANNA CORTES BOR DKT. 00257189

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 identified in the C.A.R.E.S. Act and liable for non-fraud refund.

10. WARDELL DUNLAP BOR DKT. 00290901

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

11. REBECCA SANDERS BOR DKT. 00288955

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

12. MADISON PTASZENSKI-RIVERA BOR DKT. 00284025

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as untimely and there was no good cause for the late filing.

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 ISSUE.

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

1. AMMEIA LOVE BOR DKT. 00308042

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

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2. STEVEN DAHMER BOR DKT. 00287293

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant had no attachment to the labor market and liability for non-fraud refund.

3. ANIYAH WHEELER BOR DKT. 00289314

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 ineligible for benefits under ability for work.

4. PETER AMODIO BOR DKT. 00290890

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as untimely and there was no good cause for the late filing.

5. GARY MCLAUGHLIN BOR DKT. 00289214

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

6. SHANI MILLER BOR DKT. 00282294

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 liability for a non-fraud refund.

7. KERRI GUDGE BOR DKT. 00275946

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

8. ZACHARY PAYNE BOR DKT. 00288948

Claimant appealed a decision of the Appeal Tribunal denying a predate of the benefit claim for failing to report pursuant to Division regulations.

9. CECILIA HORNE BOR DKT. 00289836

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for benefits for voluntarily leaving work without good cause attributable to the work, not ineligible for benefits for unavailability for work, and liability for a non-fraud refund.

**BOARD OF REVIEW MINUTES - SEPTEMBER 20, 2023,
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10. ALLEN HALLEY

BOR DKT. 00283123

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for unemployment benefits for voluntarily leaving work without good cause attributable to the work, and no liability for charges to employer's experiencing rating account.

11. KEVIN PADULA

BOR DKT. 00308222

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

12. GLORIA PAGAN

BOR DKT. 00307626

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. GIAN Y NUÑEZ

BOR DKT. 00289842

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

14. PAUL SAMPLE

BOR DKT. 00279786

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

15. AUTUMN MEDEIROS

BOR DKT. 00284218

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

16. GRISELLE RAMOS

BOR DKT. 00284057

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

17. SARA LLOYD

BOR DKT. 00252926

Claimant appealed a decision of the Appeal Tribunal holding the claim invalid as claimant was not unemployed, an ineligibility for benefits due to inability to work, and liability for a non-fraud refund.

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18. DAMIAN WEIGEL BOR DKT. 00289130

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

19. JANICE LAGUARDIA BOR DKT. 00288408

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

20. DENISE PROVIDENCE BOR DKT. 00291029

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

21. DAVID BERGER BOR DKT. 00288636

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.

22. ALEXANDER SHATER BOR DKT. 00258214

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as untimely and there was no good cause for the late filing.

23. ALEXANDER SHATER BOR DKT. 00258218

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as untimely and there was no good cause for the late filing.

24. KAMERON JOHNSON BOR DKT. 00271401

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.

25. IRMALEX CARRASCO BOR DKT. 00291811

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

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26. SOPHIA LUGERO BOR DKT. 00292255

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. JACLYN SOLTYS BOR DKT. 00276116

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.

28. PHILLIP PELLA BOR DKT. 00276322

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

29. LEODAN RIVERA BOR DKT. 00293248

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

30. BRAUDILIO AYBAR DE PEÑA BOR DKT. 00278743

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for refusing suitable work.

31. YVONNE THORNTON BOR DKT. 00281147

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

32. JOHN PACCIONE BOR DKT. 00293350

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

33. JASON JAVIER BOR DKT. 00292484

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

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34. DOMINIC DELISI BOR DKT. 00290084

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

35. MARY SUE MARKOWITZ BOR DKT. 00279729

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefit for leaving work voluntarily without good cause attributable to the work.

36. JULIAN GUTIERREZ BOR DKT. 00282532

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

37. BRIAN CARVALHO BOR DKT. 00289022

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

38. XIOANN SANTONI BOR DKT. 00291361

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid due to a lack of requalifying wages and a liability to a non-fraud refund.

39. MIGUEL GONZALEZ BOR DKT. 00310085

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

40. JENNIFER GREGORY BOR DKT. 00290501

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

41. ANTOINETTE CARNIVALE BOR DKT. 00262451

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.

42. JOAN SALEMME BOR DKT. 00264010

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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43. MARILYN ROMAN FELICIANO BOR DKT. 00294124

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

44. COREY DARTY BOR DKT. 00279662

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

45. JULIA CAPURSO BOR DKT. 00273523

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

46. KEVIN PADULA BOR DKT. 00308218

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

47. KELVIN IXIM BOR DKT. 00278238

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.

48. CHANTE TERRY BOR DKT. 00271599

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

49. SHANEEMAH WILLIAMS BOR DKT. 00338881

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

50. AKIRA SALVANO BOR DKT. 00288405

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) as the claimant's unemployment was

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not due to one of the COVID-19 related reasons identified under the CARES ACT, and liability for a non-fraud refund.

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

A-4 MODIFIED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW

1. RAYMOND SCHIRMER BOR DKT. 00291220

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause, holding the claimant ineligible for benefits under availability for work and holding a disqualification of benefits for misconduct connected with the work.

ACTION: BOARD VOTED TO ACCEPT THIS CASE AS MODIFIED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW.

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

1. INEZ PEREZ BOR DKT. 00268791

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits for unavailability for work, no disqualification for benefits for voluntarily leaving work without good cause attributable to the work, and liability for a non-fraud refund.

2. SADHANA DHAWAN BOR DKT. 00281534

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

3. KASHA MARTIN BOR DKT. 00291910

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

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4. GIOVANNI RIPA BOR DKT. 00261692

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.

5. MALIK HAGAN BOR DKT. 00305728

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, liability for non-fraud refund and 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-6 REOPENED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. ANTHONY PUGLISI BOR DKT. 00265198

Claimant requested reconsidering of the Board of Review's decision dismissing the appeal as late without good cause.

2. JOSEPH SAVERINO BOR DKT. 00290028

The Appellate Division granted the Board's motion for remand to obtain additional information regarding the claimant's separation from the employment.

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

A-7 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY AND/OR DIRECTOR BY THE BOARD OF REVIEW

1. NELIA LIAPCHEVA BOR DKT. 00289621

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

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2. JUAN GONZALEZ BOR DKT. 00290469

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

3. STEPHANIE HAND BOR DKT. 00289888

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility for Extended Benefits as the claimant did not establish 20 base week or earn 40 times the weekly benefit rate during the base year period on the claim.

4. CHRISTOPHER LYLE BOR DKT. 00289006

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. MATTHEW PILIRO BOR DKT. 00286984

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

6. MATTHEW PILIRO BOR DKT. 00287115

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

7. HECTOR HEREDIA BOR DKT. 00247544

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

8. MARK HALL BOR DKT. 00290614

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.

9. LIMARYS MENDIZABAL BOR DKT. 00289696

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

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10. STAVROS KONSTANTINIDIS BOR DKT. 00290959

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

11. JAMES HOWARTH, JR. BOR DKT. 00292655

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

12. EDGAR LONDOÑO MORENO BOR DKT. 00284732

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

13. ZACHARIAH RAMADAN BOR DKT. 00251843

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, 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 C.A.R.E.S. Act and a liability to a non-fraud refund.

14. CLARA PENILLA GARCIA BOR DKT. 00291941

Claimant appealed a decision of the Appeal Tribunal dismissing her appeal as late without good cause and holding her ineligible for benefits under availability for work.

15. CLARA PENILLA GARCIA BOR DKT. 00248931

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, ineligible for benefits under reporting requirements, and remanding refund liability to the Director.

16. MOISES CALDERON BOR DKT. 00288460

Claimant appealed the decision of the Appeal Tribunal holding the claimant employed full-time and liability for non-fraud refund.

17. SHEA WILSON BOR DKT. 00275107

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as untimely and there was no good cause for the late filing.

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18. ARIANNA CARUSO

BOR DKT. 00281985

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

19. OLIVINE PALAMARA

BOR DKT. 00290935

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

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

A-8 REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL AND/OR THE DEPUTY OR DIRECTOR

1. LAWRENCE SAVICH

BOR DKT. 00291332

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

ACTION: THE BOARD VOTED TO ACCEPT THIS CASE AS REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL AND/OR THE DEPUTY OR DIRECTOR.

A-9 REVERSED DECISIONS OF THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW

1. MICHAEL GIGLIO

BOR DKT. 00290291

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

2. LAWRENCE SAVICH

BOR DKT. 00291330

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

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

A-10 REQUEST FOR RECONSIDERATION FROM THE OFFICE OF THE ATTORNEY GENERAL

1. LOURDES RAMIREZ CAMEJO

BOR DKT. 00224849

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 an ineligibility of benefits under ability and availability for work. The Board of Review modified the Appeal Tribunal's decision, and the matter was appealed to the Appellate Division.

ACTION: BOARD VOTED TO ACCEPT THIS CASE AS REQUEST FOR RECONSIDERATION FROM THE OFFICE OF THE ATTORNEY GENERAL.