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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  
SEPTEMBER 4, 2019**

**JOSEPH P. SIEBER, CHAIRPERSON**

**NANCY W. HUNT, VICE-CHAIRPERSON**

**BOARD OF REVIEW MEETING SEPTEMBER 4, 2019**

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**A regular meeting of the Board of Review was held on Wednesday, September 4, 2019 at 10:00 a.m., in Trenton, New Jersey**

**PRESENT: Joseph Sieber, Chairman, Nancy Hunt, Vice-Chair and William Scaglione, Executive Secretary.**

**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–SEPTEMBER 4, 2019 MEETING

## SECTION A – HEARING MATTERS

### BOARD MINUTES:

Submitted for adoption are the minutes of the August 28, 2019 Board meeting.

**ACTION: THE BOARD VOTED TO ADOPT THE MINUTES OF THE AUGUST 28, 2019 MEETING.**

### **A-1 DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW**

**1. IBIN GREEN** **BOR DKT. 00185787**

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause. This case was ruled under another docket no. 00183434 where the appeal was timely and the Appeals Examiner ruled on the merits.

**2. SANDRA WALBRIDGE** **BOR DKT. 00184427**

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

**3. KRISTAL MARSHALL** **BOR DKT. 00182655**

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

**4. YESENIA CASTILLO** **BOR DKT. 00181571**

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training (ABT).

**5. DIANA NATALE** **BOR DKT. 00184299**

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

**6. LOREN DANIELS** **BOR DKT. 00181837**

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

## BOARD OF REVIEW MINUTES–SEPTEMBER 4, 2019 MEETING

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

### A-2 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. VERONICA GONZALEZ BOR DKT. 00184687

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training (ABT).

2. ANNAMARIA LAGRECA BOR DKT. 00184503

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

3. ELENA MEDINA BOR DKT. 00184932

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

4. NICOLE BROWN BOR DKT. 00182805

Employer appealed decision of the Appeal Tribunal holding no disqualification for discharge for misconduct.

5. MEIR CYNAMON BOR DKT. 00179435

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

6. DANNY ALMONTE BOR DKT. 00185313

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

7. IBIN GREEN BOR DKT. 00183434

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

8. COREY COLEMAN BOR DKT. 00184040

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

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**9. JERMAN CLARK**

BOR DKT. 00184368

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

**10. NADINE SHAW**

BOR DKT. 00176917

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

**11. DIANE KELLY**

BOR DKT. 00184283

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

**12. FRANK CHOLOSKI**

BOR DKT. 00182188

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

**13. FANNY PEREZ**

BOR DKT. 00182191

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

**14. CINDY ROSARIO**

BOR DKT. 00181899

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

**15. QUANTA HIGGS**

BOR DKT. 00184570

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

**16. JENNA COLUMBIA**

BOR DKT. 00184660

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.

**17. SUSAN NICHOLSON**

BOR DKT. 00183101

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

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**18. AMY ROSS**

BOR DKT. 00179526

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

**19. GUSTAVO ADOLFO GONZALEZ**

BOR DKT. 00184478

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily. AB was also an issue.

**20. MICHELE SUARATO**

BOR DKT. 00185513

Claimant appealing decision of the Appeal Tribunal holding a disqualification for voluntarily leaving the employment.

**21. ZAKKIYAH SALAHUDDIN**

BOR DKT. 00184264

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

**22. KAITLYN TURNER**

BOR DKT. 00186046

Claimant appealed the decision of the Appeal Tribunal which held the claimant disqualified for benefits due to a prior VQ disqualification.

**23. MICHELLE CADET**

BOR DKT. 00185276

Employer #2 appealed a decision of the Appeal Tribunal holding no disqualification for refusing suitable work.

**24. CHRISTOPHER LAWLESS**

BOR DKT. 00184799

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

**25. MELANY ALVES**

BOR DKT. 00156372

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

**26. ALICIA MCDONALD**

BOR DKT. 00184538

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

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**27. GERALDINE ATKINS**

BOR DKT. 00184941

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

**28. GERALDINE ATKINS**

BOR DKT. 00184944

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

**29. STEPHEN MENTURE**

BOR DKT. 00183720

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

**30. PAMELA THOMAS**

BOR DKT. 00183715

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

**31. LUAN KICHEN**

BOR DKT. 00184055

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and insufficient wages to remove a voluntary leaving disqualification.

**32. ELOY MORERA**

BOR DKT. 00185892

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

**33. NATALIE ROBINSON**

BOR DKT. 00185411

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

**34. KRYSTAL HOLMES**

BOR DKT. 00178028

The claimant appealed the decision of the Appeal Tribunal which dismissed the claimant's appeal due to failure to register and participate in the Appeal Tribunal hearing.

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**35. WILLIE DARDEN**

BOR DKT. 00179888

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

**36. FRANTZY JOULOUTE**

BOR DKT. 00184860

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

**37. LAKEYA SEBURN**

BOR DKT. 00185556

Claimant appealed decision of the Appeal Tribunal holding an ineligibility for Additional Benefits during Training on the ground that the job separation was not due to a lack of work.

**38. LISA SAWIN**

BOR DKT. 00184245

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

**39. MAURICE MILLER**

BOR DKT. 00184446

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

**40. YOGANANDA NAIDOO**

BOR DKT. 00184218

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

**41. LORI WALERSKI**

BOR DKT. 00179347

Claimant appealed a decision of the Appeal Tribunal holding the claimant with a fraud disqualification.

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



## BOARD OF REVIEW MINUTES–SEPTEMBER 4, 2019 MEETING

### A-3 REVERSALS OF APPEAL TRIBUNAL DECISIONS

1. CHRISTY MOSHER BOR DKT. 00182814

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

2. CHRISTIAN AYRER BOR DKT. 00179237

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

3. BEVERLY THOMPSON BOR DKT. 00182000

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

4. ADEREMI ADESINA BOR DKT. 00181220

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

5. PETER MILEVSKI BOR DKT. 00184390

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

6. MICHAEL SANTANGELO BOR DKT. 00184387

Claimant appealed the decision of the Appeal Tribunal which held the claim invalid on the ground the claimant was not unemployed.

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

### A-4 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. GRACIA ANASTASIA BOR DKT. 00181287

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

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**2. DIANA DELEONARDO**

BOR DKT. 00178775

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

**3. JEFFREY AMOROSI**

BOR DKT. 00184732

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

**4. KATHERINE TELEPUN**

BOR DKT. 00181263

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

**5. AMANDA ERDMAN**

BOR DKT. 00185049

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

**6. INEZ MAILLET**

BOR DKT. 00180719

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

**7. BREEA WILLIAMS**

BOR DKT. 00184904

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

**8. MARCIA BARROS**

BOR DKT. 00184039

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

**9. HEATHER HENDRICKS**

BOR DKT. 00174860

The claimant appealed a decision of the Appeal Tribunal which held that the wages earned as an independent contractor could not be used to establish an unemployment claim.

**10. GERMAINE WHITEHOUSE**

BOR DKT. 00184572

Employer appealed the decision of the Appeal Tribunal holding a disqualification for discharge for misconduct.

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**11. BJORN GEULEN**

BOR DKT. 00184846

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

**12. THOMAS KOWALEWSKI**

BOR DKT. 00185514

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily.

**13. KIERA BAKER**

BOR DKT. 00185683

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily, no disqualification of benefits for refusal of suitable work and no refund liability.

**14. ROBERT BERARDO**

BOR DKT. 00167168

Employer filed a timely appeal to the Board of Review from an Appeal Tribunal decision denying request to reopen.

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

### **SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION**

**B-1 GIOVANNI DI RIENZO**

BOR DKT. 00183834

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

**ACTION: THE BOARD VOTED TO REMAND THE ABOVE CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY AND TO ESTABLISH A BETTER RECORD.**

**B-2 CHARLES ZIEGLER**

BOR DKT. 00184678

Claimant appealed the Appeal Tribunal decision holding the unemployment claim dated April 1, 2018 invalid due to the claimant's receipt of pay in lieu of notice, and holding the claimant liable for a non-fraud refund.

## **BOARD OF REVIEW MINUTES–SEPTEMBER 4, 2019 MEETING**

**ACTION: BOARD VOTED TO AFFIRM THE INVALIDITY OF THE INITIAL CLAIM BASED ON CONTINUATION PAY AND REVERSE THE DEPUTY’S DECISION WITH RESPECT TO THE DIVISION’S REPORTING REQUIREMENTS.**

**B-3 AEISHA SPENCER**

**BOR DKT. 00184825**

This is corrected to read as follows: The employer appealed the decision of the Appeal Tribunal holding no disqualification for voluntarily leaving work or misconduct connected with the work.

**ACTION: BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION AND HOLD NO DISQUALIFICATION FOR VOLUNTARY LEAVING WORK, BUT HELD A DISQUALIFICATION FOR MISCONDUCT.**

**AT 11:04 AM THE BOARD MADE A MOTION TO GO INTO EXECUTIVE SESSION FOR LEGAL ADVICE.**

**AT 11:09 AM THE BOARD MADE A MOTION TO COME OUT OF EXECUTIVE SESSION AND GO BACK INTO THE OPEN PUBLIC MEETING. AT WHICH TIME THE OPEN PUBLIC MEETING WAS THEN ADJOURNED.**