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State of New Jersey
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
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Commissioner

BOARD OF REVIEW

**MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
FEBRUARY 23, 2022**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

MARIA ZOLA, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING FEBRUARY 23, 2022

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A regular meeting of the Board of Review was held on Wednesday, February 23, 2022 at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, 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 – FEBRUARY 23, 2022 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the February 9, 2022 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF FEBRUARY 9, 2022, BOARD MEETING WITH THE EXCEPTION OF BOR DKT. 00231762, WHICH WAS PLACED ON THIS AGENDA FOR FURTHER DISCUSSION.

OLD BUSINESS:

1. ANNE FATZYNYTZ BOR DKT. 00246394

Claimant appealed a 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 under the C.A.R.E.S. Act, and liable for a non-fraud refund. **(This case was tabled in the meeting of November 10, 2021 for further review by the Board.)**

ACTION: BOARD VOTED TO AFFIRM THE VOLUNTARY LEAVING DISQUALIFICATION, REVERSE THE DECISION OF THE APPEAL TRIBUNAL REGARDING THE MATTER OF PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA), AND HOLD THE CLAIMANT ELIGIBLE FOR PUA BENEFITS.

2. LISANDRA DIAZ BOR DKT. 00244890

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. **(This case was tabled in the meeting of November 10, 2021 for further review from the Appellate Specialist with respect to the documentation submitted by the claimant.)**

ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION HOLDING THE CLAIMANT INELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS AND LIABLE FOR THE NON-FRAUD REFUND.

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3. TABASSUM SYED

BOR DKT. 00237471

Claimant appealed 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. **(This case was tabled in the meeting of September 29, 2021 for further review of the UIPL.)**

ACTION: BOARD VOTED TO REVERSE THE DECISION OF THE APPEAL TRIBUNAL, HOLD THE CLAIMANT ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS THROUGH SEPTEMBER 20, 2020, AND NOT LIABLE FOR THE NON-FRAUD REFUND.

4. CHARLES HILLWIG

BOR DKT. 00245029

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for PEUC benefits and liable for an agency refund. **(This case was tabled in the meeting of November 10, 2021 for further review by the Board.)**

ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY REGARDING WHETHER THE CLAIMANT QUALIFIES FOR REGULAR UNEMPLOYMENT BENEFITS IN ANOTHER STATE.

5. JOSHUA HADDAD

BOR DKT. 00231762

Deputy and the claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under employed full-time and a liability to a refund. **(This case was affirmed in the meeting of February 9, 2022. Placed back on this agenda due to new conflicting documentation submitted by the claimant.)**

ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY FROM THE CLAIMANT REGARDING HIS EARNINGS FOR EACH WEEK HE RECEIVED BENEFITS, AND FOR THE DOCUMENTATION THAT HE SUBMITTED WITH THE APPEAL TO BE REVIEWED ON THE RECORD.

BOARD OF REVIEW MINUTES – FEBRUARY 23, 2022 MEETING

SECTION A – HEARING MATTERS:

A-1 WITHDRAWAL OF APPEALS

1. JOHN MURRAY BOR DKT. 00248257

Claimant is not appealing 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, an ineligibility of benefits from December 20, 2020 through January 2, 2021 under ability to work, not liable for a non-fraud refund in the sum of \$7,130, and liable to refund the sum of \$1,426.00.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS WITHDRAWAL OF APPEALS.

A-2 VACATED APPEALS TO THE BOARD OF REVIEW

1. PHILLIP BURROWES BOR DKT. 00249246

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

2. KEVIN DALLIN BOR DKT. 00252048

Claimant's letter was erroneously processed as an appeal to a decision of the Appeal Tribunal holding claimant eligible for Pandemic Unemployment Assistance (PUA) benefits and not liable for a non-fraud refund.

3. MIJA EDWARDS BOR DKT. 00199452

Claimant's letter was processed as an appeal to a decision of the Appeal Tribunal holding a disqualification of benefits under leaving work voluntarily without good cause attributable to the work.

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

BOARD OF REVIEW MINUTES – FEBRUARY 23, 2022 MEETING

A-3 DISMISSALS OF LATE APPEALS OR NON-JUSTICIBLE ISSUE TO THE BOARD OF REVIEW

1. DONNA BRAKEFIELD BOR DKT. 00270058

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of 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 refund. **(Board voted to table this case for further review of new information regarding the timeliness of appeal).**

2. TIFFANI CANALES BOR DKT. 00218112

Claimant appealed a decision of the Appeal Tribunal holding a refund liability.

3. KEVIN DOLAN BOR DKT. 00248182

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

4. JENNIFER MONTGOMERY BOR DKT. 00248565

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under availability for work.

5. CHAD MONTGOMERY BOR DKT. 00104290

Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to failure to participate in the hearing.

6. SEAN HILL BOR DKT. 00215085

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits for availability for work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

7. MARTIN FUTCHER BOR DKT. 00244010

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility under employed full-time and a liability to a refund.

8. MABEL DEVORA BOR DKT. 00248594

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work, an ineligibility for Pandemic Unemployment Assistance (PUA) and a liability to a refund.

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9. EUYERINIS SANTANA MOREL BOR DKT. 00223205

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

10. JAMES HOWARD BOR DKT. 00199408

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

11. LIGIA COVENA BOR DKT. 00232514

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

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

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

1. GIANCARLO RAMOS BOR DKT. 00186524

Claimant is requesting reconsideration of the Board of Review's decision, affirming the Appeal Tribunal's decision denying the claimant's request to reopen the matter due to non-registration for the hearing.

2. JAMIL BUCKUSE BOR DKT. 00203105

Claimant is requesting reconsideration of the Board of Review's decision, affirming the Appeal Tribunal's decision denying the claimant's request to reopen the matter due to non-registration for the hearing.

3. RONALD SANDS BOR DKT. 00216821

Claimant is requesting reconsideration of the Board of Review's decision, affirming the Appeal Tribunal's decision holding the claimant disqualified for benefits for leaving the work voluntarily without good cause attributable to the work.

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4. JOANNE AWAD BOR DKT. 00247537

Claimant is requesting reconsideration of the Board of Review's decision, affirming the Appeal Tribunal's decision, holding the claimant ineligible for benefits under ability to work.

5. LETICIA HERRERA BOR DKT. 00225037

Claimant is requesting reconsideration of the Board of Review's decision, affirming the Appeal Tribunal's decision denying the claimant's request to vacate a prior dismissal for non-appearance.

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

A-5 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. FLOR RAMIREZ BOR DKT. 00249536

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. GLADIMIR RUBIN BOR DKT. 00248722

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

3. LAURIE MICHAELS BOR DKT. 00249107

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

4. MICHAEL YAWN BOR DKT. 00248914

Claimant appealed a decision of the Appeal Tribunal holding the claimant disqualified for benefits for leaving work voluntarily without good cause attributable to the work and liable for a refund.

5. CRYSTAL OKYERE-BOUR BOR DKT. 00248004

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

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- 6. EDMUNDO NOVAS HERASME** BOR DKT. 00248848

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

- 7. JAMES MCKNIGHT** BOR DKT. 00237772

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for regular unemployment benefits under availability for work, ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability for a refund.

- 8. SOOBIN AN** BOR DKT. 00239477

Claimant appealed a decision of the Appeal Tribunal holding the claimant eligible for a regular unemployment claim with a monetary entitlement less than a Pandemic Unemployment Assistance (PUA) claim and a liability to a refund.

- 9. NILSA MOROSCO** BOR DKT. 00245615

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 to a refund.

- 10. MARIBEL BALODI** BOR DKT. 00248687

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Extended Unemployment Compensation Benefits and liable for a non-fraud refund.

- 11. SHEKH SHARMIN** BOR DKT. 00248817

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 a non-fraud refund.

- 12. SAMIR HARB** BOR DKT. 00247500

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

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13. GABRIEL DE JESUS PEREZ BOR DKT. 00238889

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for regular benefits under availability for work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

14. KEITH DELLIGATTI BOR DKT. 00252090

Claimant dismissed appeal as late without good cause.

15. MANUEL ARIAS BOR DKT. 00247028

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

16. EUYERINIS SANTANA MOREL BOR DKT. 00249743

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

17. DENYS HERRERA BOR DKT. 00248001

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

18. AMBER PARLOW BOR DKT. 00248242

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

19. SAMUEL LOPEZ BOR DKT. 00250017

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility for Extended Benefits as the claimant was entitled to Extended Benefits in another state and liability for non-fraud refund.

20. DIANE LUISI BOR DKT. 00248782

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.

21. NANCY ESTEVEZ BOR DKT. 00244205

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

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attributable to the work, and holding no disqualification for benefits for misconduct connected with the work.

22. DAVID MURIEL BOR DKT. 00228414

Claimant appealed the decision of the Appeal Tribunal denying the request to vacate the decision dismissing the appeal and the request to reschedule a hearing due to non-registration for the hearing.

23. MARCIA CANARIO BOR DKT. 00252320

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

24. TAYLOR BOYLAN BOR DKT. 00228940

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, a liability to a refund and holding the reporting requirements academic.

25. JULIA DOUGHERTY BOR DKT. 00235022

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

26. CHRISTINE BANSIE BOR DKT. 00238888

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

27. ESTEFANY DEFRANK BOR DKT. 00270085

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of 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 refund.

28. MAURICE COOKE BOR DKT. 00249058

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

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29. ANN SENNET BOR DKT. 00270049

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 to a refund.

30. SANDRA PORTILLO BOR DKT. 00239977

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under availability for work and a liability to a refund.

31. WILLIE HAYES BOR DKT. 00272512

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work and a liability to a refund.

32. KIRE HAYWOOD BOR DKT. 00252336

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.

33. THOMAS SMITH BOR DKT. 00241733

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under employed full-time and a liability to a refund.

34. RICHARD EMRICK BOR DKT. 00272797

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

35. JASMINE DAVIS BOR DKT. 00253186

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of regular unemployment benefits for leaving work voluntarily, and an ineligibility for Pandemic Unemployment Assistance (PUA) benefits from June 20, 2021 as she was no longer unemployed due to a qualifying reason identified under the C.A.R.E.S. Act. **(Board voted to remove this case from this category and dismiss appeal as late to the Board of Review).**

36. NICHOLAS PALUMBO BOR DKT. 00272661

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

BOARD OF REVIEW MINUTES – FEBRUARY 23, 2022 MEETING

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

A-6 REVERSALS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. JOAN GOLDENBERG BOR DKT. 00234505

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

2. RICHARD VIGNA BOR DKT. 00262620

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

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

A-7 REVERSED AND MODIFIED DECISIONS BY THE BOARD OF REVIEW

1. TONI SALTERS BOR DKT. 00248852

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS REVERSED AND MODIFIED DECISIONS BY THE BOARD OF REVIEW.

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

1. ANGELICA EMERSON BOR DKT. 00249987

Claimant appealed the decision of the Appeal Tribunal holding the claimant employed full-time, not unemployed, 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 non-fraud refund.

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

A-9 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. JONATHAN MONCION **BOR DKT. 00246965**

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 liable for a non-fraud refund.

2. HENRY VIGE **BOR DKT. 00236026**

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. RUBENSON CADET **BOR DKT. 00249972**

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

4. TANYA LEVY **BOR DKT. 00248562**

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under availability for work, ineligible for Pandemic Unemployment Assistance (PUA) as the claimant's unemployment was not due one of the COVID-19 related reasons identified under the C.A.R.E.S. Act, and liable for a non-fraud refund.

5. NICOLE BADER **BOR DKT. 00247701**

Claimant appealed a decision of the Appeal Tribunal holding the regular unemployment claim invalid, the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

6. ARKADY POLOVETSKY **BOR DKT. 00250302**

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 CARES Act and liability for non-fraud refund.

BOARD OF REVIEW MINUTES – FEBRUARY 23, 2022 MEETING

7. KELLI HUNTER BOR DKT. 00253702

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

8. GEORGE MIHALAKIS BOR DKT. 00223832

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

9. VALERIA LOPEZ BOR DKT. 00229471

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for refusal of suitable work, an ineligibility for benefits under availability for work and a liability for a refund.

10. WILLIAM VANWERT JR. BOR DKT. 00248596

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

11. ELVIS RAFAEL HERNANDEZ VASQUEZ BOR DKT. 00221742

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

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

A-10 AFFIRMED AND REMANDED DECISIONS TO THE BOARD OF REVIEW

1. DIONICIA GARCIA BOR DKT. 00244477

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

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2. RICHARD GRONWALD BOR DKT. 00249108

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.

3. JULIA LIAM BOR DKT. 00249330

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 liability for non-fraud refund.

4. HASSAN ROBERTS BOR DKT. 00252269

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

5. KAMILLE GILLESPIE BOR DKT. 00249950

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 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 CARES Act and a liability to a non-fraud refund.

6. FRANCISCA MATOS CALDERON BOR DKT. 00233090

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 for Pandemic Unemployment Assistance (PUA) benefits.

7. AWILDA ALMANZA BOR DKT. 00249830

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 AFFIRMED AND REMANDED DECISIONS TO THE BOARD OF REVIEW.

BOARD OF REVIEW MINUTES – FEBRUARY 23, 2022 MEETING

A-11 REOPENED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. ANDREI KAZLOUSKI BOR DKT. 00233958

Claimant appealed a decision of the Appeal Tribunal denying the request to reopen the matter due to failure to request that the matter be reopened within 180 days of the mailing date of the decision.

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

A-12 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. KELLY STONEROCK BOR DKT. 00248662

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

2. MALACHI PATOIR BOR DKT. 00249214

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

3. JOSEPH SPELLS BOR DKT. 00249856

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.

4. DOREEN INTINDOLA BOR DKT. 00248999

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

5. GARRY OCEANAK BOR DKT. 00225205

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under availability for work, an ineligibility of Pandemic Unemployment Assistance (PUA) benefits as the claimant was not unemployed due to one of the reasons identified under the C.A.R.E.S. Act, and a liability for a non-fraud refund.

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6. MAYA DUMAS BOR DKT. 00248819

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits as of 09/01/19 for leaving work voluntarily without good cause attributable to the work, the disqualification tolled as of 01/04/20, the claimant ineligible for benefits under ability to work and a liability to an agency refund.

7. SOPHIA JONES BOR DKT. 00248435

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

8. MELISSA PIETRANGELO BOR DKT. 00222655

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility under availability for work, ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

9. ANYSSA MANGUAL BOR DKT. 00253014

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 a non-fraud refund.

10. JANE FRIEDMAN BOR DKT. 00252169

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) as the claimant had no self-employment earnings that would show an attachment to the labor market.

11. MARIA GRILLO BOR DKT. 00262847

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of regular unemployment benefits for leaving work voluntarily, an ineligibility for regular unemployment benefits under availability for work, 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 the C.A.R.E.S. Act, and a liability for a non-fraud refund.

12. JAVON LOUIS BOR DKT. 00248239

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

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13. INGRID YANEZ BOR DKT. 00246239

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

14. ONEIDA REYES BOR DKT. 00262763

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

15. JONATHAN BASCIO BOR DKT. 00250401

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.

16. NICOLETTE BOARDWICK BOR DKT. 00249918

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.

17. KARINA RUILOVA BOR DKT. 00249156

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

18. KRISTINA ARCONA BOR DKT. 00248758

Claimant appealed decision of the Appeal Tribunal withdrawing the appeal.

19. CHARLES BLAS BOR DKT. 00228039

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

20. NORMAN WHITE BOR DKT. 00250519

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work and a liability to an agency refund.

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21. INGRID TORRES BOR DKT. 00252398

Claimant appealed a decision of the Appeal Tribunal withdrawing the appeal.

22. PATRICIA RACKISON BOR DKT. 00238243

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

23. ROCHELL COSGRIFF BOR DKT. 00233892

Claimant appealed a decision of the Appeal Tribunal holding her disqualified for leaving work voluntarily without good cause attributable to such work and an ineligibility for Pandemic Unemployment Assistance (PUA) benefits.

24. ERICK MALPARTIDA BOR DKT. 00209484

Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to non-registration for the hearing. **(Board voted to remove this case from this category and table the matter in order to send the claimant a letter regarding the timeliness of the appeal).**

25. LISA KIRK BOR DKT. 00236685

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

26. ELLEN PARK BOR DKT. 00230671

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits as the claimant may qualify for regular unemployment benefits in another state, and a liability for a non-fraud refund.

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

A-13 REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. YEHIA ABOREMAILA BOR DKT. 00252320

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

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2. QUINCY FLOOD BOR DKT. 00249282

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

3. RICARDY SAINT GERMAN BOR DKT. 00245015

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

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

A-14 REVERSED AND AFFIRMED DECISIONS TO THE APPEAL TRIBUNAL OR THE DEPUTY

1. MATTHEW KUSHALL BOR DKT. 00270953

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

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

SECTION B – MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 CARLOS LUGO BOR DKT. 00247745

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 to a refund. (**Appellate Specialist Hart**)

ACTION: BOARD VOTED TO TABLE THIS CASE FOR FURTHER REVIEW OF THE CLAIMANT’S SEPARATION FROM WORK.

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B-2 HUGO CANTOS

BOR DKT. 00252096

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under availability for work, as ineligibility 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 C.A.R.E.S. Act, and a liability for a non-fraud refund. (**Appellate Specialist Zola**)

ACTION: BOARD VOTED TO REVERSE THE DECISION OF THE APPEAL TRIBUNAL, HOLD THE CLAIMANT ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS, AND NOT LIABLE FOR THE NON-FRAUD REFUND.

B-3 KHALIA WARD

BOR DKT. 00231385

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of Pandemic Unemployment Assistance (PUA) benefits as the claimant may qualify for regular unemployment benefits in another state, and a liability for a non-fraud refund. (**Appellate Specialist Zola**)

ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR TESTIMONY FROM THE DEPUTY REGARDING EVIDENCE OF CLAIMANT'S ELIGIBILITY FOR REGULAR UNEMPLOYMENT BENEFITS IN THE STATE OF FLORIDA, AND FOR THE CLAIMANT TO PROVIDE PROOF OF INCOME ALONG WITH EVIDENCE THAT SHE DID NOT QUALIFY FOR REGULAR UNEMPLOYMENT IN THAT STATE.