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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  
DECEMBER 11, 2019**

**JOSEPH P. SIEBER, CHAIRPERSON**

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

**BOARD OF REVIEW MEETING DECEMBER 11, 2019**

**DECEMBER 11, 2019**

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**A regular meeting of the Board of Review was held on Wednesday, December 11, 2019 at 10:00 a.m., in Trenton, New Jersey**

**PRESENT: Nancy Hunt, Acting Chair, and William Scaglione, Acting Vice-Chairman and Shahrazad A. Ledan, Acting 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 – DECEMBER 11, 2019 MEETING

## BOARD MINUTES:

Submitted for adoption are the minutes of the December 4, 2019 Board meeting

**ACTION: THE BOARD VOTED TO ACCEPT THE MINUTES OF THE DECEMBER 4, 2019 MEETING.**

## SECTION A – HEARING MATTERS

### **A-1 VACATED APPEALS TO THE BOARD OF REVIEW**

1. BRITTANY WEST BOR DKT. 00175899

Claimant appealed the fraud refund mailed by the Director on November 13, 2019.

2. SCOTT CLEARY BOR DKT. 00194550

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

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

### **A-2 DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW**

1. RONNELL SURRELL BOR DKT. 00195164

Claimant appealed a decision of the Appeal Tribunal which held the claimant ineligible for a period of benefits as the claimant did not report in accordance with the regulations of the Division.

2. HARRY VARGAS BOR DKT. 00194386

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

3. STEPHANIE LOPEZ BOR DKT. 00190053

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

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- 4. CHARLES MILLER** BOR DKT. 00194685

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

- 5. NATHAN DUNN** BOR DKT. 00194718

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

- 6. CRYSTAL WILLIAMS** BOR DKT. 00193123

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

- 7. JAYLYN LEE** BOR DKT. 00185828

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

- 8. JAWAN TERRELL** BOR DKT. 00187948

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

- 9. JAMEL SWEET** BOR DKT. 00194932

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

- 10. JOCELYN PALMER** BOR DKT. 00194803

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

- 11. CHRISTOPHER MATTIA, JR.** BOR DKT. 00195114

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

- 12. KENNETH ELDER** BOR DKT. 00194728

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

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**13. TOM REILLY**

BOR DKT. 00193649

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

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

**A-3 DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW**

**1. KAMEISHA JOHNSON**

BOR DKT. 00188629

Claimant requests a reconsideration of the Board of Review decision affirming the Appeal Tribunal decision holding the claimant ineligible for benefits under availability for work.

**2. AMERE WILLIAMS**

BOR DKT. 00187549

Claimant request a reconsideration of the Board of Review decision affirming the Appeal Tribunal decision holding the unemployment claim invalid and liable for a non-fraud refund.

**3. LAURA TSOUNIS**

BOR DKT. 00185804

Claimant requests a reconsideration of the Board of Review decision affirming the Appeal Tribunal decision which held the claimant disqualified for benefits for leaving work voluntarily.

**4. ALYSSA WEITZ**

BOR DKT. 00188517

Claimant requests a reconsideration of the Board of Review decision affirming the Appeal Tribunal decision which held the claimant disqualified for benefits for leaving work voluntarily.

**5. MARIA WITTEN**

BOR DKT. 00187443

Claimant requests a reconsideration of the Board of Review decision affirming the Appeal Tribunal which held the claimant disqualified for benefits for leaving work voluntarily.

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6. CHAO ZHANG BOR DKT. 00175505

Employer requests a reconsideration of the Board of Review decision affirming the Appeal Tribunal decision when they appealed the validity of an unemployment claim contending the claimant did not work for them.

7. CHRISTINA BOYD BOR DKT. 00190883

Claimant requests a reconsideration of the Board of Review decision affirming the Appeal Tribunal decision which dismissed the claimant's appeal as late without good cause.

8. DELENN DNIZDOWSKI BOR DKT. 00188999

Claimant requests a reconsideration of the Board of Review decision affirming the Appeal Tribunal decision holding the claimant ineligible for benefits on the ground that the claimant was employed full-time and holding the claimant liable for a non-fraud refund.

9. JACOB HARRISON BOR DKT. 00070047

The Deputy held UCX claim dated August 30, 2015 invalid as the claimant did not complete the first full term of service and the reason for separation does not appear on the United States Army exception list.

10. STEVEN FOOSE BOR DKT. 00191776

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

11. DZEMAL SEFEDINI BOR DKT. 00191736

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

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

## **BOARD OF REVIEW MINUTES – DECEMBER 11, 2019 MEETING**

### **A-4 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS**

- 1. FREEMON WATTS** **BOR DKT. 00193518**

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

- 2. LAWRENCE FARVER** **BOR DKT. 00194774**

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

- 3. TYRONE ROY** **BOR DKT. 00195279**

Claimant appealed a decision of the Appeal Tribunal holding no disqualification for leaving work voluntarily, and a disqualification of benefits due to discharge for misconduct connected with the work.

- 4. SARINA FRANCHINA** **BOR DKT. 00191928**

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

- 5. ANDREW BREWTON** **BOR DKT. 00195864**

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

- 6. COURTNIIE DURLAND** **BOR DKT. 00194784**

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

- 7. CAREEM WATSON** **BOR DKT. 00195788**

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

- 8. LINDA JUNG** **BOR DKT. 00186976**

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

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9. ERICA MITCHELL-HALL BOR DKT. 00190856

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

10. KARON DANIELS BOR DKT. 00195631

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

11. SHANI PUCYLOWSKI BOR DKT. 00190347

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

12. DAMON VELASQUEZ BOR DKT.00194263

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

13. ZACHARY GONSALVES BOR DKT. 00191280

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

14. CARLOS VERAS BOR DKT. 00196331

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

15. MARIA CASTRO BOR DKT. 00196090

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

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



## **BOARD OF REVIEW MINUTES – DECEMBER 11, 2019 MEETING**

### **A-5 REVERSALS OF APPEAL TRIBUNAL DECISIONS**

1. KIMBERLY DEMARCO BOR DKT. 00195329

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

2. MICHELE POWELL-ALEXANDER BOR DKT. 00194152

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for refusing suitable work.

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

### **A-6 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY**

1. MATTHEW LILOIA BOR DKT. 00193419

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

2. SHERYL WARD BOR DKT. 00189625

Employer appealed a decision of the Appeal Tribunal holding no relief of charges to their account.

3. YAHMENA BASS-COCHRAN BOR DKT. 00188419

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

4. STEPHANIE CARO BOR DKT. 00194142

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

5. LAKEITA MCKOY BOR DKT. 00194300

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

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- 6. CAMILLA GONZALEZ** BOR DKT. 00183498

Employer appealed a decision of the Appeal Tribunal which held no disqualification due to discharge for misconduct connected to the work.

- 7. KEVIN CEASER** BOR DKT.00190139

Employer appealed the decision of the appeal tribunal holding no disqualification of benefits due to discharge for misconduct connected with the work.

- 8. ANTHONY JONES** BOR DKT. 00175781

Claimant appealed the decision of the Appeal Tribunal holding a disqualification for gross misconduct connected with the work (and validity of the claim)

- 9. WILLIAM KURZWEIL** BOR DKT. 00196565

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

- 10. DAVID BOLDEN** BOR DKT. 00195952

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for benefits on the ground that the claimant was discharged for misconduct connected to the work.

- 11. MICHAEL STUMP** BOR DKT. 00196231

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily or discharge for misconduct connected to the work.

- 12. LAVORA WASHINGTON** BOR DKT. 00191227

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

- 13. GEORGE ECHEVARRIA** BOR DKT. 00195038

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

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**14. BRIAN SZYMANSKI**

BOR DKT. 00186677

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.

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

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

**B-1 GARY STEELE**

BOR DKT. 00163112

SUPPLEMENTAL CASE: Employer appealed the Board of Review decision holding the claimant not disqualified for leaving work voluntarily, on the basis that the Appeal Tribunal failed to grant a postponement

**ACTION: THE BOARD OF REVIEW AGREED TO REMAND THE CASE TO THE APPEAL TRIBUNAL FOR EMPLOYER PARTICIPATION, AND A NEW HEARING AND DECISION.**

**B-2 ENZO MAGGIORE**

BOR DKT. 00189573

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

**ACTION: THE BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION FROM A VOLUNTARY QUIT TO HOLD NO VOLUNTARY QUIT IN ACCORDANCE WITH N.J.A.C. 12:17-9.3(c).**

**B-3 FAUSTO NAPOLITANO**

BOR DKT. 00194357

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

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**ACTION: THE BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION AND HOLD NO MISCONDUCT.**

**B-4** LEISLANIMILLI SOTOMAYOR BOR DKT. 00195501

Claimant appealed a decision of the Appeal Tribunal holding the appeal was filed late with good cause and holding the claimant liable for non-fraud refund.

**ACTION: THE BOARD VOTED TO TABLE THIS MATTER FOR FURTHER DISCUSSION IN THE MEETING OF DECEMBER 18, 2019.**

**B-5** THOMAS DEHN BOR DKT. 00187598

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

**ACTION: THE BOARD VOTED TO AFFIRM THE DISMISSAL FOR A LATE APPEAL AND SEND A MEMO TO THE APPEAL TRIBUNAL REQUESTING A REOPENING TO WRITE AN AMENDED DECISION.**

**AT 10:48 THE BOARD VOTED TO GO INTO EXECUTIVE SESSION FOR LEGAL ADVICE.**

**AT 11:49 THE BOARD VOTED TO COME OUT OF EXECUTIVE SESSION. AT WHICH TIME THEY ALSO VOTED TO ADJOURN THE OPEN PUBLIC MEETING.**