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DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
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Commissioner

BOARD OF REVIEW

**MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
MARCH 9, 2022**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

MARIA ZOLA, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING MARCH 9, 2022

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A regular meeting of the Board of Review was held on Wednesday, MARCH 9, 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 – MARCH 9, 2022 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the February 23, 2022 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE FEBRUARY 23, 2022 BOARD MEETING.

OLD BUSINESS:

1. ROBERT VILLALBA **BOR DKT. 00245343**

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work. **(This case was tabled in the meeting of November 10, 2021 for further review of Division records by the Board.)**

ACTION: BOARD VOTED TO REVERSE THE DECISION OF THE APPEAL TRIBUNAL, HOLD THE CLAIMANT IS NOT SUBJECT TO A VOLUNTARY LEAVING DISQUALIFICATION, AND ELIGIBLE FOR UNEMPLOYMENT BENEFITS.

SECTION A – HEARING MATTERS:

A-1 VACATED APPEALS TO THE BOARD OF REVIEW

1. TRACIE ROMAN **BOR DKT. 00221940**

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work and eligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was due to one of the COVID-19 related reasons.

2. YOJI SHIKAMA **BOR DKT. 00230367**

Claimant's correspondence was erroneously processed as an appeal to a decision of the Appeal Tribunal.

3. HOLLY KROZSER **BOR DKT. 00238706**

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

BOARD OF REVIEW MINUTES – MARCH 9, 2022 MEETING

4. SIHEIRA NORMAN BOR DKT. 00220351

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

5. KENNETH CU BOR DKT. 00234050

Claimant's letter was erroneously processed as an appeal to the Appeal Tribunal decision.

6. JOSEPH COSTANZO BOR DKT. 00209709

Claimant's correspondence was erroneously processed as an appeal to the Board of Review.

7. ROBERT MURPHY BOR DKT. 00223678

Claimant's communication was erroneously processed as an appeal to the Board of Review.

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

A-2 DISMISSALS OF LATE APPEALS OR NON-JUSTICIBLE ISSUE TO THE BOARD OF REVIEW

1. JEANINE LEONARDO BOR DKT. 00229585

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

2. EMMA JUBERT BOR DKT. 00223214

Claimant appealed the decision of the Appeal Tribunal which denied the claimant's request for a pre-date of a Pandemic Unemployment Assistance (PUA) claim. (Board voted to remove this case from this category for a discussion under Section B of this agenda).

3. ROSEANA DESOUZA BOR DKT. 00246921

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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.

4. CLAUDETTE PARKER BOR DKT. 00201904

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

5. NESTOR NIETO BOR DKT. 00250646

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

6. LILIANA RUSSO BOR DKT. 00247454

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.

7. VANDELIGNE ACOSTA BOR DKT. 00214361

Claimant appealed a decision of the Appeal Tribunal denying the request to vacate a prior decision dismissing the appeal due to non-registration.

8. MOHAMMED RAMADAN BOR DKT. 00235570

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Extended Benefits.

9. EDWIN REYNOSO, SR. BOR DKT. 00213837

Claimant appealed the decision of the Appeal Tribunal denying the request to vacate a prior dismissal and to schedule a new hearing.

10. DALIA DOS BOR DKT. 00222355

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

11. CHARLEMISE LORMI BOR DKT. 00222883

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

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

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

1. BARBARA CLARKSON BOR DKT. 00203193

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.

2. ANA GARCIA BOR DKT. 00205187

Claimant is requesting reconsideration of the Board of Review's decision, affirming the Appeal Tribunal's decision, which dismissed the claimant's appeal as it was filed without good cause and held the claimant ineligible for benefits as the claimant was not available for work or actively seeking work.

3. ANJELIQUE WILLIAMS BOR DKT. 00211265

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 liable to a non-fraud refund. **(Board voted to table this case for further review of additional information received from the claimant).**

4. DAVID HICKS BOR DKT. 00212664

Claimant is requesting reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision, which reduced the claimant's weekly benefit rate on the ground that the claimant is receiving a pension from a base year employer.

5. CASSANDRA LESAINE BOR DKT. 00214014

Claimant is requesting a reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision, which held the claimant ineligible for benefits from May 3, 2020 through June 20, 2020 under availability for work, and liable for a non-fraud refund.

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6. ELIF OZTURK

BOR DKT. 00232818

Claimant is requesting a reconsideration of the Board of Review's decision affirming the Appeal Tribunal decision, which held the claimant disqualified for benefits for leaving work voluntarily and liable to a non-fraud refund.

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

A-4 REOPENING REQUESTS TO THE BOARD OF REVIEW

1. RONALD SANDS

BOR DKT. 00216821

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

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

A-5 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. ERIK ALBERTSON

BOR DKT. 00253064

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.

2. DEIDRA CARTER

BOR DKT. 00250140

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

3. ELIZABETH FLEIG

BOR DKT. 00231024

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.

4. SAMUEL ESTRADA

BOR DKT. 00252440

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

5. NOURAN BARAKAT BOR DKT. 00249066

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.

6. SUZAN GHATTAS BOR DKT. 00250991

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

7. BARBARA COLEMAN BOR DKT. 00230759

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

8. JOSSELIN AMAYA BOR DKT. 00262684

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

9. BARRY MCGIVNEY BOR DKT. 00266305

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.

10. MADELINE ZORANSKI BOR DKT. 00221723

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

11. JOHN WAREKA BOR DKT. 00228110

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

12. JULIAN KAPADIA BOR DKT. 00230689

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

13. TIMOTHY HARYLIEB BOR DKT. 00252467

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

14. LESLIE NANDOR BOR DKT. 00271364

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

15. VICTORIA COLLIER BOR DKT. 00252589

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

16. PAUL TOTO BOR DKT. 00271600

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.

17. RAZI SHLAPAK BOR DKT. 00273111

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

18. MIKE LEONE BOR DKT. 00269918

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.

19. JOSEPH CARTER BOR DKT. 00268053

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 liability for a non-fraud refund.

20. BRIANNA LUONGO BOR DKT. 00263189

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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21. NANCY HANNA

BOR DKT. 00236255

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed, the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms, 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.

22. EDWIN VAZQUEZ

BOR DKT. 00277347

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.

23. SILKY BENITEZ

BOR DKT. 00277043

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.

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

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

1. MARK HAMRI

BOR DKT. 00259104

Claimant appealed a decision of the Appeal Tribunal holding the regular claim and Pandemic Unemployment Assistance (PUA) claim invalid and a liability to a refund.

2. MISTY BROOKINS

BOR DKT. 00267624

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.

3. MAYLIN FELIZ

BOR DKT. 00210996

Claimant appealed a 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 – MARCH 9, 2022 MEETING

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

A-7 MODIFIED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR DEPUTY

1. EBOH OKORIE BOR DKT. 00230515

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

2. JARER RAHMAN BOR DKT. 00242253

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.

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

A-8 AFFIRMED AND MODIFIED DECISIONS BY THE BOARD OF REVIEW

3. CHRISTIAN OCHS BOR DKT. 00251738

Employer appeal 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.

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

A-9 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. NURA ARACENA PEÑA BOR DKT. 00250178

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

2. YARDLEY MARCELLUS BOR DKT. 00227369

BOARD OF REVIEW MINUTES – MARCH 9, 2022 MEETING

Employer #1 appealed the 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 refusing suitable work.

3. LUCY VARGAS **BOR DKT. 00249284**

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.

4. JOANN LIVINGSTON **BOR DKT. 00249494**

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.

5. LAVONNE COLEMAN **BOR DKT. 00249594**

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 availability for work.

6. DOMONIQUE MCKINNEY **BOR DKT. 00249689**

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.

7. OLIVIA GLASSGOLD **BOR DKT. 00248017**

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.

8. KINA PARK **BOR DKT. 00252455**

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant may be entitled to a valid claim in another state, and liable for a non-fraud refund.

9. MADELINE HUTZ **BOR DKT. 00192894**

BOARD OF REVIEW MINUTES – MARCH 9, 2022 MEETING

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

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

A-10 REQUEST FOR RECONSIDERATION FROM THE SUPERIOR COURT

1. 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.

ACTION: BOARD VOTED TO ACCEPT THE REMAND TO THE BOARD OF REVIEW FOR RECONSIDERATION.

2. KAREN MCKNIGHT BOR DKT .00192641

Claimant appealed the decision of the Appeal Tribunal holding the unemployment claim valid, ineligible for benefits under employed with earnings, and liable for an agency refund.

ACTION: BOARD VOTED TO ACCEPT THE REMAND TO THE BOARD OF REVIEW FOR RECONSIDERATION.

A-11 AFFIRMED AND REMANDED DECISIONS TO THE BOARD OF REVIEW

1. DAWRY DIAZ BOR DKT. 00249921

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.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS AFFIRMED AND REMANDED DECISIONS TO THE BOARD OF REVIEW.

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A-12 REOPENED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. SWALAHA MOHAMED BOR DKT. 00211281

Employer appealed the decision of the Appeal Tribunal dismissing the appeal due to non-registration for the hearing.

2. LINDA CRESCENZO BOR DKT. 00245665

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Emergency Unemployment Compensation (PEUC) and liable for a non-fraud refund.

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

A-13 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. EDWIN CRUZ BOR DKT. 00250249

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.

2. CARISSA BORRAGGINE BOR DKT. 00239700

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed and liable for an agency refund.

3. NESTOR FONSECA BOR DKT. 00218902

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.

4. NOUREDDINE BERREGRAUE BOR DKT. 00252174

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.

5. MICHELLE DRAPER BOR DKT. 00250198

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

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6. ANTHONY IANNICE **BOR DKT. 00253320**

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 refund.

7. RASEDA BEGUM **BOR DKT. 00237711**

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

8. NAILAH NELSON **BOR DKT. 00270973**

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

9. BRITTANY CUFF **BOR DKT. 00248727**

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. LORA CIMILUCA **BOR DKT. 00269771**

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

11. SUSHMA RASWANT **BOR DKT. 00265533**

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.

12. THOMAS HOWLETT **BOR DKT. 00231015**

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.

13. JOSHUA DOBBINS **BOR DKT. 00255673**

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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.

14. FRANCIS GRIMM BOR DKT. 00230710

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility for Extended Benefits as the original claim was dated prior to May 12, 2019.

15. HECTOR HEREDIA BOR DKT. 00247544

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

16. JAKE POINSETT BOR DKT. 00276035

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

17. THOMAS HOLLIS BOR DKT. 00248593

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.

18. CIERRA CURRY BOR DKT. 00277425

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

19. ESTHER NUSSBAUM BOR DKT. 00279017

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

20. MICHAEL SVOBODA BOR DKT. 00231513

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

21. DAPHNE GIRDLEY BOR DKT. 00214230

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Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid as the claimant was not unemployed.

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

SECTION B – MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 EMMA JUBERT BOR DKT. 00223212

Claimant appealed a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant had insufficient base year wages to establish a valid claim. (**Appellate Specialist Jackson**)

ACTION: BOARD VOTED TO SET ASIDE THE DECISION OF THE BOARD OF REVIEW, REVERSE THE DECISION OF THE APPEAL TRIBUNAL, HOLD THE CLAIMANT ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS THROUGH AUGUST 15, 2020, AND BACKDATE THE PUA CLAIM TO APRIL 12, 2020.

B-2 JENNIFER ISRAEL BOR DKT. 00166534

Employer appealed a decision of the Appeal Tribunal holding that the appeal was filed late with good cause and holding no disqualification of benefits for refusing suitable work. (**Appellate Specialist Alverio**)

ACTION: BOARD VOTED TO MODIFY THE DECISION OF THE APPEAL TRIBUNAL AND HOLD THE CLAIMANT REFUSED SUITABLE WORK WITHOUT GOOD CAUSE, AS THE CLAIMANT AGREED TO THE CHANGE IN THE TERMS OF EMPLOYMENT AND DID NOT REPORT TO WORK THEREAFTER.

B-3 RHONDA HUGHES BOR DKT. 00217800

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

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ACTION: BOARD VOTED TO SET ASIDE THE DECISION OF THE APPEAL TRIBUNAL REGARDING THE MATTER OF VOLUNTARY LEAVING AND NON-FRAUD REFUND, AS THE APPEAL TRIBUNAL HAD NO JURISDICTION TO RULE ON SUCH ISSUES, AND AFFIRMED THE CLAIMANT’S INELIGIBILITY FOR UNEMPLOYMENT BENEFITS FROM APRIL 5, 2020 THROUGH MAY 16, 2020.

B-4 DIANA BAIK

BOR DKT. 00251473

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 non-fraud refund. (**Appellate Specialist Alverio**)

ACTION: BOARD VOTED TO AFFIRM THE DECISION OF THE APPEAL TRIBUNAL HOLDING THE CLAIMANT INELIGIBLE FOR PUA BENEFITS, BUT ADD THAT THE CLAIMANT SHOULD PURSUE A CLAIM IN THE STATE OF PENNSYLVANIA, WHERE SHE HAD AN OFFER OF WORK.

B-5 ANNE WILLIAMS

BOR DKT. 00261404

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause. (**Appellate Specialist Alverio**)

ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY ON THE MATTER OF TIMELINESS OF THE APPEAL AND THE MERITS.