



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lieutenant Governor

State of New Jersey
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. Box 110
TRENTON, NEW JERSEY 08625-0110

ROBERT ASARO-ANGELO
Commissioner

BOARD OF REVIEW

**MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
JUNE 1, 2022**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

ANDREA JACKSON, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING June 1, 2022

June 1, 2022

.....
A regular meeting of the Board of Review was held on Wednesday, June 1, 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 MEETING –JUNE 1, 2022 AGENDA

BOARD MINUTES:

Submitted for adoption are the minutes of the May 18, 2022 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE MAY 18, 2022 BOARD MEETING WITH A CORRECTION TO THE DATE OF THE MEETING.

SECTION A – HEARING MATTERS:

A-1 VACATED APPEALS BY THE BOARD OF REVIEW

1. TERRANCE JACKSON BOR DKT. 00176334

Claimant appealed from a failure to pay benefits on his unemployment claim.

2. HUGH GILSON BOR DKT. 00234670

Claimant's communication to the Appeal Tribunal was erroneously processed as an appeal to a decision holding the unemployment claim invalid.

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

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

1. EDGAR GIL BOR DKT. 00250674

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.

2. MYESHA COBB BOR DKT. 00249172

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

3. VERNARD CLINKSCALES BOR DKT. 00260782

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

BOARD OF REVIEW MEETING –JUNE 1, 2022 AGENDA

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUES.

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

1. SUGANYA KHANTHAN BOR DKT. 00162034

Claimant is requesting reconsideration of the Board of Review's decision, affirming the appeal tribunal's decision, holding the Unemployment claim invalid due to insufficient weeks and wages.

2. TRAVIS MCLAY BOR DKT. 00238794

Claimant is requesting reconsideration of the Board of Review's decision; however, the Board of Review decision was in the claimants favor and the Board ruled through the end of the jurisdictional period in the matter.

3. TANYA LEVY BOR DKT. 00248562

Claimant is requesting reconsideration of the Board of Review's decision, affirming the Appeal Tribunal's decision, holding the claimant ineligible for UI and PUA benefits.

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

A-4 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. JULIE GARCIA BOR DKT. 00253343

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

2. JILL KORNAS BOR DKT. 00251681

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant had no labor market attachment, and liable for a non-fraud refund.

BOARD OF REVIEW MEETING –JUNE 1, 2022 AGENDA

3. THEA GIQUINTO **BOR DKT. 00252495**

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 liable for a non-fraud refund.

4. MUJTABA RANA **BOR DKT. 00254612**

Claimant appealed a decision of the Appeal Tribunal holding an 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 CARES Act, and a liability for a non-fraud refund.

5. MADISON BRENSINGER **BOR DKT. 00251663**

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

6. DONNA ROSSI **BOR DKT. 00250983**

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

7. IVAN LANDER **BOR DKT. 00251913**

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

8. ENES ERTEK **BOR DKT. 00251443**

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, ineligible for benefits under availability for work, and liability for non-fraud refund.

9. MADISON MILLER **BOR DKT. 00253404**

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

BOARD OF REVIEW MEETING –JUNE 1, 2022 AGENDA

10. LATONYA HARLEY BOR DKT. 00253832

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

11. PATRICIA STAFFORD BOR DKT. 00253882

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

12. JESSICA FELIX BOR DKT. 00253818

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.

13. ERICA CARMICHAEL BOR DKT. 00255113

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

14. COMFORT ABU BOR DKT. 00255136

Claimant appealed a decision of the Appeal Tribunal holding claimant ineligible for Pandemic Extended Unemployment Compensation (PEUC) and Extended Benefits (EB) as the claimant had sufficient employment in other states to qualify for a regular unemployment claim.

15. ESTHER WEILL BOR DKT. 00256794

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

16. FALISA LEYBA-MARTINEZ BOR DKT. 00258061

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

17. BEATA JAMKA BOR DKT. 00247026

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 a liability to a refund.

BOARD OF REVIEW MEETING –JUNE 1, 2022 AGENDA

18. DONNA HAMILL BOR DKT. 00263382

Claimant appealed a decision of the Appeal Tribunal holding the claimant not unemployed, 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 under the CARES Act.

19. LEAH DIAZ BOR DKT. 00220518

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 CARES Act.

20. STEPHEN GLAZEWSKI BOR DKT. 00261943

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.

21. PATRICK STANCZAK BOR DKT. 00228328

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for 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 for a non-fraud refund.

22. NICOLE TORRES BOR DKT. 00283376

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

23. IAN BOYD BOR DKT. 00235188

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

24. NINA BROWNFIELD BOR DKT. 00261889

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.

BOARD OF REVIEW MEETING –JUNE 1, 2022 AGENDA

25. DAHIANNA BREA DE ARIAS

BOR DKT. 00265957

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.

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

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

1. PETER SAMUEL

BOR DKT. 00254980

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

2. CAITLIN BEAULIEU

BOR DKT. 00258174

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

3. LYNDA URBANOWICZ

BOR DKT. 00250901

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.

4. ROBIN HARPER

BOR DKT. 00253656

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under ability to work and a denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons.

5. MARCY FELDMAN

BOR DKT. 00263960

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal, of the non-fraud refund, as late without good cause, 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 CARES Act and a liability to a non-fraud refund.

BOARD OF REVIEW MEETING –JUNE 1, 2022 AGENDA

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

A-6 AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW

1. SHAKARA COLBERT BOR DKT. 00252739

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

2. NINA BROWNFIELD BOR DKT. 00261887

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.

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

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

1. ANGEL GONZALES BOR DKT. 00251035

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

2. DEANTHONY BONELLI BOR DKT. 00251369

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 as the claimant's unemployment was not due to one of the Covid-19 related reasons identified under the CARES Act, and a liability for a non-fraud refund.

3. LAURIE KYDON BOR DKT. 00251883

Employer appealed 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, and no liability for a non-fraud refund.

BOARD OF REVIEW MEETING –JUNE 1, 2022 AGENDA

4. JASMINE WELCH BOR DKT. 00251009

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.

5. KIEJE MILLER BOR DKT. 00249427

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

6. ANGELA CHANDLER-NESMITH SR BOR DKT. 00255131

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

7. PAUL SANGILLO BOR DKT. 00256494

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

8. PAUL SANGILLO BOR DKT. 00256496

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

9. ROBERT DIESE BOR DKT. 00242002

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.

10. ERNESTO GAMARRA BOR DKT. 00249948

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.

11. JOHN PEEL BOR DKT. 00249133

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

BOARD OF REVIEW MEETING –JUNE 1, 2022 AGENDA

12. DENISE DEMAIO **BOR DKT. 00253872**

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid due to insufficient base weeks and wages.

13. DIAMOND BROWN **BOR DKT. 00253705**

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for benefits for refusing suitable work and a liability to a non-fraud refund.

14. MICHAEL CONOVER **BOR DKT. 00253965**

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.

15. HARROOP BEDI **BOR DKT. 00256886**

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.

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

A-8 REVERSED DECISIONS BY THE BOARD OF REVIEW

1. SAMANTHA WEICK **BOR DKT. 00243977**

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work with Employer #1 voluntarily, and liable for a non-fraud refund.

2. JERICE TENEBRUSO **BOR DKT. 00263980**

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.

BOARD OF REVIEW MEETING –JUNE 1, 2022 AGENDA

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

SECTION B – MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 WANDA LAIRD BOR DKT. 00253590

Claimant appealed a decision of the Appeal Tribunal holding the claim for Pandemic Unemployment Assistance (PUA) benefits was invalid due to no labor attachment, and claimant liable for a non-fraud refund. (**Appellate Specialist Zola**)

ACTION: BOARD VOTED TO TABLE THIS CASE FOR FURTHER REVIEW OF THE EVIDENCE SUBMITTED. THIS CASE WILL BE PLACED ON A FUTURE AGENDA.

B-2 RYAN STAHL BOR DKT. 00252655

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund. (**Appellate Specialist Zola**)

ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY REGARDING THE CLAIMANT’S EMPLOYMENT WITH AN EDUCATIONAL INSTITUTION, IN ORDER TO DETERMINE WHETHER THE CLAIMANT IS ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS.

B-3 JOHN AGYEMANG BOR DKT. 00253968

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid, ineligible 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 CARES Act, and liable for a non-fraud refund. (**Appellate Specialist Zola**)

ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY REGARDING THE LOCALIZATION OF THE CLAIMANT’S EMPLOYMENT AND THE REASON FOR THE JOB SEPARATION.

BOARD OF REVIEW MEETING –JUNE 1, 2022 AGENDA

B-4 MARKIAN SILECKY

BOR DKT. 00280870

Claimant appealed a decision of the Appeal Tribunal holding the claimant's services localized in another state. (**Appellate Specialist Hart**)

ACTION: BOARD VOTED TO AFFIRM THE DECISION OF THE APPEAL TRIBUNAL HOLDING THE CLAIMANT'S SERVICES LOCALIZED IN THE STATE OF NEW YORK.