



PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 937, TRENTON, NEW JERSEY 08625-0937

ROBERT ASARO-ANGELO
Commissioner

BOARD OF REVIEW

**MINUTES OF THE REGULAR MEETING OF
THE BOARD OF REVIEW
JANUARY 15, 2024**

WILLIAM SCAGLIONE, CHAIRMAN

LISA HART, VICE CHAIRPERSON

ERIC OLSEN, BOARD MEMBER

LUIS D. VARGAS, ACTING EXECUTIVE SECRETARY



**BOARD OF
REVIEW**

"Opportunity. Stability. Dignity."

*New Jersey is an Equal Opportunity Employer
Printed on Recycled and Recyclable Paper*

AD-18.94 (9/23)

BOARD OF REVIEW MEETING OF JANUARY 15, 2025

JANUARY 15, 2025

.....

A regular meeting of the Board of Review was held on Wednesday, JANUARY 15, 2025, at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: William Scaglione, Chairperson, Lisa Hart, Vice-Chairperson, Eric Olsen, Board Member, Luis D. Vargas, 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 – JANUARY 15, 2025 AGENDA

BOARD MINUTES:

Submitted for adoption are the minutes of the January 8, 2025 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE JANUARY 08, 2025 BOARD MEETING.

SECTION A – HEARING MATTERS:

A-1 VACATED APPEALS BY THE BOARD OF REVIEW

1. BOR DKT. 00293523 (B.M.)

The claimant's correspondence was docketed in error as an appeal to the Board of Review.

2. BOR DKT. 00331653 (E.P.)

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

3. BOR DKT. 00277125 (C.M.)

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

4. BOR DKT. 00331827 (D.P.)

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

5. BOR DKT. 00340230 (S.N.)

Claimant's communication was processed as an appeal of the decision of the Appeal Tribunal which dismissed the appeal for non-appearance.

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

BOARD OF REVIEW MEETING – JANUARY 15, 2025 AGENDA

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

1. BOR DKT. 00296058 (F.J.)

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

2. BOR DKT. 00280753 (T.V.)

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

3. BOR DKT. 00355059 (L.B.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits for failure to meet reporting requirements in accordance with Division regulations.

4. BOR DKT. 00350334 (J.C.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant did not meet reporting requirements.

5. BOR DKT. 00352254 (J.S.)

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

6. BOR DKT. 00335390 (H.B.)

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

7. BOR DKT. 00351961 (K.M.)

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

8. BOR DKT. 00333894 (J.D.)

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

BOARD OF REVIEW MEETING – JANUARY 15, 2025 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 TO THE BOARD OF REVIEW

1. BOR DKT. 00333209 (K.A.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal decision, holding the claimant's unemployment claim invalid.

2. BOR DKT. 00327254 (D.C.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal decision holding the claimant not unemployed.

3. BOR DKT. 00327255 (D.C.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal decision holding the claimant ineligible for benefits under ability for work.

4. BOR DKT. 00327256 (D.C.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal decision holding the claimant not unemployed.

5. BOR DKT. 00327257 (D.C.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal decision holding a disqualification from benefits for refusing suitable work.

6. BOR DKT. 00349356 (R.K.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal decision which denied the claimant request for a pre-date of an unemployment claim.

7. BOR DKT. 00283275 (B.C.B.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal decision holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

BOARD OF REVIEW MEETING – JANUARY 15, 2025 AGENDA

8. BOR DKT. 00321214 (Y.G.C.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal decision holding a disqualification for unemployment benefits for leaving work voluntarily without good cause attributable to the work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits, and a liability for a non-fraud refund.

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

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

1. BOR DKT. 00351103 (C.T.)

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

2. BOR DKT. 00353585 (L.D.)

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

3. BOR DKT. 00352342 (J.M.)

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

4. BOR DKT. 00349749 (E.G.)

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

5. BOR DKT. 00337256 (M.B.)

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

BOARD OF REVIEW MEETING – JANUARY 15, 2025 AGENDA

6. BOR DKT. 00344114 (H.N.)

Claimant appealed a decision of the Appeal Tribunal holding a disqualification due to willful misrepresentation, a liability for fines, and a refund liability.

7. BOR DKT. 00348446 (S.V.)

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

8. BOR DKT. 00338451 (M.C.)

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

9. BOR DKT. 00342675 (H.D.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for an Overpayment Waiver.

10. BOR DKT. 00340436 (R.P.)

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

11. BOR DKT. 00351868 (J.W.)

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

12. BOR DKT. 00335642 (J.E.)

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid.

13. BOR DKT. 00294699 (N.C.)

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

14. BOR DKT. 00357125 (R.N.)

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

BOARD OF REVIEW MEETING – JANUARY 15, 2025 AGENDA

15. BOR DKT. 00327025 (E.B.)

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

16. BOR DKT. 00349276 (A.G.)

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

17. BOR DKT. 00335485 (G.R.)

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

18. BOR DKT. 00282361 (J.C.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification from benefits for leaving work voluntarily without good cause attributable to the 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 C.A.R.E.S. Act and a liability for a non-fraud refund.

19. BOR DKT. 00282362 (J.C.)

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

20. BOR DKT. 00351637 (M.W.)

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

21. BOR DKT. 00285195 (P.S.)

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

22. BOR DKT. 00303055 (N.O.)

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

BOARD OF REVIEW MEETING – JANUARY 15, 2025 AGENDA

23. BOR DKT. 00311805 (A.L.)

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid and a liability for a non-fraud refund.

24. BOR DKT. 00335188 (D.R.)

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

25. BOR DKT. 00324560 (R.P.L.)

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid.

26. BOR DKT. 00350284 (A.R.)

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

27. BOR DKT. 00354649 (K.B.)

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

28. BOR DKT. 00352930 (J.G.)

Employer appealed a decision of the Appeal Tribunal holding the claimant not disqualified for benefits for misconduct connected with the work, and not disqualified for benefits for leaving work voluntarily without good cause attributable to the work.

29. BOR DKT. 00332244 (A.E.)

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

30. BOR DKT. 00351041 (M.L.)

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

BOARD OF REVIEW MEETING – JANUARY 15, 2025 AGENDA

31. BOR DKT. 00350924 (J.K.)

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

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. BOR DKT. 00331853 (E.S.)

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

2. BOR DKT. 00329625 (D.L.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed, holding the claimant ineligible for benefits under ability to work and a liability for a non-fraud refund.

3. BOR DKT. 00338254 (E.T.)

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

4. BOR DKT. 00354367 (T.P.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant did not meet reporting requirements.

5. BOR DKT. 00307779 (M.S.)

Claimant appealed a decision holding an ineligibility for benefits as the claimant was not unemployed, and a liability for a non-fraud refund.

6. BOR DKT. 00326345 (R.C.M.)

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

BOARD OF REVIEW MEETING – JANUARY 15, 2025 AGENDA

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

A-6 REOPENED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. BOR DKT. 00301670 (C.C.)

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

2. BOR DKT. 00325894 (D.H.)

Deputy requested that the Board reopen and reconsider their decision holding the claimant eligible for Mixed Earners Unemployment Compensation (MEUC) benefits.

3. BOR DKT. 00269088 (A.V.S.)

Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to the late request for a reopening of the appeal.

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

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

1. BOR DKT. 00354531 (D.R.)

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

2. BOR DKT. 00348096 (J.R.)

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

3. BOR DKT. 00353133 (L.V.)

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

BOARD OF REVIEW MEETING – JANUARY 15, 2025 AGENDA

4. BOR DKT. 00380006 (J.L.)

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

5. BOR DKT. 00379352 (J.W.)

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

6. BOR DKT. 00353534 (D.Y.)

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

7. BOR DKT. 00275990 (I.R.O.)

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

8. BOR DKT. 00348148 (R.D.)

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

9. BOR DKT. 00334952 (J.F.)

Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid.

10. BOR DKT. 00275990 (I.R.O.)

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

11. BOR DKT. 00340054 (N.B.)

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

BOARD OF REVIEW MEETING – JANUARY 15, 2025 AGENDA

12. BOR DKT. 00343398 (B.S.J.)

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

13. BOR DKT. 00354367 (T.P.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant did not meet reporting requirements.

14. BOR DKT. 00326195 (N.D.S.)

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

15. BOR DKT. 00326958 (O.B.)

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

16. BOR DKT. 00352686 (C.C.)

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

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 OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00355949 (N.G.)

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

2. BOR DKT. 00347292 (C.H.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification for benefits for leaving work voluntarily without good cause attributable to the work with E#1.

BOARD OF REVIEW MEETING – JANUARY 15, 2025 AGENDA

3. BOR DKT. 00330955 (C.G.)

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

4. BOR DKT. 00348523 (G.L.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms and a liability for a non-fraud refund.

5. BOR DKT. 00344505 (J.W.)

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REVERSED DECISIONS OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW.

A-9 REQUEST FOR RECONSIDERATION FROM THE OFFICE OF THE ATTORNEY GENERAL

1. BOR DKT. 00291071 (C.H.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed due to salary continuation, claim dated June 21, 2020 invalid and a non-fraud refund liability.

2. BOR DKT. 00302133 (L.K.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms and a liability for a non-fraud refund.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REQUESTS FOR RECONSIDERATION FROM THE OFFICE OF THE ATTORNEY GENERAL.

BOARD OF REVIEW MEETING – JANUARY 15, 2025 AGENDA

SECTION B – MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 BOR DKT. 00342866 (B.C.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily without good cause attributable to the work. (**Appellate Specialist Robinson**)

ACTION: THE BOARD VOTED TO TABLE THIS DISCUSSION CASE UNTIL A FUTURE AGENDA WHEN ALL BOARD MEMBERS WILL BE AVAILABLE.

B-2 BOR DKT. 00320254 (C.S.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily. (**Appellate Specialist Robinson**)

ACTION: THE BOARD VOTED TO TABLE THIS DISCUSSION CASE UNTIL A FUTURE AGENDA WHEN ALL BOARD MEMBERS WILL BE AVAILABLE.