



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
FEBRUARY 19, 2025**

WILLIAM SCAGLIONE, CHAIRMAN

LISA HART, VICE CHAIRPERSON

ERIC OLSEN, BOARD MEMBER

MARYANN MORAN-SMYTH, 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 FEBRUARY 19, 2025

FEBRUARY 19, 2025

.....

A regular meeting of the Board of Review was held on Wednesday, FEBRUARY 19, 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, Maryann Moran-Smyth, 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 – FEBRUARY 19, 2025 AGENDA

BOARD MINUTES:

Submitted for adoption are the minutes of the February 5, 2025 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE FEBRUARY 05, 2025 BOARD MEETING.

SECTION A – HEARING MATTERS:

A-1 VACATED APPEALS BY THE BOARD OF REVIEW

1. BOR DKT. 00358892 (J.P.)

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

2. BOR DKT. 00254292 (M.Y.)

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

3. BOR DKT. 00347795 (Y.R.)

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

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

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

1. BOR DKT. 00329799 (N.M.)

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

2. BOR DKT. 00372997 (P.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 and an ineligibility under availability for work.

BOARD OF REVIEW MEETING – FEBRUARY 19, 2025 AGENDA

3. BOR DKT. 00354998 (S.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 and a liability for a non-fraud refund.

4. BOR DKT. 00347327 (K.P.)

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.

5. BOR DKT. 00300404 (N.S.)

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

6. BOR DKT. 00343391 (E.R.)

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

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. 00318528 (B.B.)

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

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

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal decision, dismissing the appeal as late without good cause.

BOARD OF REVIEW MEETING – FEBRUARY 19, 2025 AGENDA

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

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

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

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal's 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 CASES #1 THROUGH #3 AS DENIAL OF REOPENINGS TO THE BOARD OF REVIEW. ITEM #4 WAS PLACED ON THE AGENDA IN ERROR.

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

1. BOR DKT. 00345581 (M.H.)

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

2. BOR DKT. 00350072 (N.T.)

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

3. BOR DKT. 00338731 (S.K.)

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

4. BOR DKT. 00349825 (C.M.)

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 – FEBRUARY 19, 2025 AGENDA

5. BOR DKT. 00341541 (Z.L.)

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

6. BOR DKT. 00337177 (R.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.

7. BOR DKT. 00354020 (D.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.

8. BOR DKT. 00335138 (J.C.)

Claimant appealed a decision of the Appeal Tribunal 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.

9. BOR DKT. 00342760 (R.B.)

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

10. BOR DKT. 00344524 (K.W.)

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

11. BOR DKT. 00345283 (V.V.)

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

12. BOR DKT. 00337456 (N.H.)

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 – FEBRUARY 19, 2025 AGENDA

13. BOR DKT. 00368760 (F.P.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as the appellant failed to file within the statutory period.

14. BOR DKT. 00347861 (V.P.L.)

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

15. BOR DKT. 00377034 (J.M.)

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.

16. BOR DKT. 00339258 (P.L.)

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

17. BOR DKT. 00339262 (P.L.)

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

18. BOR DKT. 00355886 (J.M.)

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

19. BOR DKT. 00343991 (J.C.)

Claimant appealed a decision of the Appeal Tribunal which denied the claimant's request for a waiver of overpayment.

20. BOR DKT. 00357268 (C.B.)

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

BOARD OF REVIEW MEETING – FEBRUARY 19, 2025 AGENDA

21. BOR DKT. 00356628 (Z.A.)

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

22. BOR DKT. 00276723 (A.H.)

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

23. BOR DKT. 00341871 (L.G.)

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

24. BOR DKT. 00338251 (A.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.

25. BOR DKT. 00335870 (P.B.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily and no liability for a non-fraud refund.

26. BOR DKT. 00344973 (F.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.

27. BOR DKT. 00346783 (M.A.)

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

28. BOR DKT. 00357079 (M.L.)

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

BOARD OF REVIEW MEETING – FEBRUARY 19, 2025 AGENDA

29. BOR DKT. 00348390 (M.C.)

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

30. BOR DKT. 00328324 (G.C.)

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

31. BOR DKT. 00356251 (N.P.)

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

32. BOR DKT. 00357012 (K.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.

33. BOR DKT. 00340152 (J.R.)

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

34. BOR DKT. 00340033 (J.B.)

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

35. BOR DKT. 00348330 (S.E.)

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

36. BOR DKT. 00355584 (P.S.)

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

BOARD OF REVIEW MEETING – FEBRUARY 19, 2025 AGENDA

37. BOR DKT. 00345667 (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.

38. BOR DKT. 00353839 (M.R.)

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

39. BOR DKT. 003302090 (A.E.)

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

40. BOR DKT. 00304698 (N.S.)

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

41. BOR DKT. 00353795 (C.J.)

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

42. BOR DKT. 00353797 (C.J.)

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

43. BOR DKT. 00348263 (J.T.)

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

44. BOR DKT. 00353165 (E.G.)

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 – FEBRUARY 19, 2025 AGENDA

45. BOR DKT. 00352228 (A.C.)

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

46. BOR DKT. 00353979 (S.D.)

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

47. BOR DKT. 00347031 (N.G.)

Claimant appealed a decision of the Appeal Tribunal denying the request for an overpayment waiver under Section 2104(f) and 2107(e) of the Coronavirus Aid, Relief, and Economic Security Act (C.A.R.E.S.) Act and Section 201 of the Continued Assistance to Unemployed Workers.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW. BOARD MEMBER WILLIAM SCAGLIONE VOTED NO ON ITEM # 13, AND ABSTAINED FROM VOTING ON ITEM # 36.

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

1. BOR DKT. 00294041 (J.C.)

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

2. BOR DKT. 00294043 (J.C.)

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW. BOARD MEMBER WILLIAM SCAGLIONE ABSTAINED ON BOTH ITEMS.

BOARD OF REVIEW MEETING – FEBRUARY 19, 2025 AGENDA

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

1. BOR DKT. 00232915 (F.A.)

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.

2. BOR DKT. 00290717 (J.G.)

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

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. 00356975 (J.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.

2. BOR DKT. 00357493 (D.B.)

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

3. BOR DKT. 00347467 (J.P.)

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

4. BOR DKT. 00324770 (A.C.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Mixed Earners Unemployment Compensation (MEUC) benefits as the claimant did not have sufficient self-employment income.

BOARD OF REVIEW MEETING – FEBRUARY 19, 2025 AGENDA

5. BOR DKT. 00342011 (S.H.)

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

6. BOR DKT. 00342012 (S.H.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as non-justiciable.

7. BOR DKT. 00352160 (M.K.)

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

8. BOR DKT. 00346445 (T.M.)

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

9. BOR DKT. 00332077 (P.P.)

Employer appealed the decision of the Appeal Tribunal holding the claimant unemployed.

10. BOR DKT. 00357168 (J.O.)

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

11. BOR DKT. 00353004 (D.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.

12. BOR DKT. 00321190 (M.C.)

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

13. BOR DKT. 00346403 (C.M.)

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

BOARD OF REVIEW MEETING – FEBRUARY 19, 2025 AGENDA

14. BOR DKT. 00341652 (T.S.)

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

15. BOR DKT. 00317661 (L.P.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant did not have a profitable business and a liability to a non-fraud refund.

16. BOR DKT. 00357590 (D.V.)

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

17. BOR DKT. 00350007 (J.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.

18. BOR DKT. 00229441 (V.V.)

Employer appealed the decision of the Appeal Tribunal holding that the claimant was discharged for misconduct connected to the work but the statutory disqualification period lapsed prior to the date of claim.

19. BOR DKT. 00346607 (L.D.)

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

20. BOR DKT. 00342731 (E.B.)

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 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW. BOARD MEMBER WILLIAM SCAGLIONE ABSTAINED FROM VOTING ON ITEM #13.

BOARD OF REVIEW MEETING – FEBRUARY 19, 2025 AGENDA

A-8 REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW

1. BOR DKT. 00342448 (M.V.)

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REVERSED AND REMANDED DECISION TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW.

A-9 REVERSED DECISIONS OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00338731 (S.K.)

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

2. BOR DKT. 00344333 (G.V.)

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

3. BOR DKT. 00357269 (P.P.)

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

4. BOR DKT. 00355136 (P.V.)

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

5. BOR DKT. 00357138 (M.K.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as the appellant failed to file within the statutory period.

BOARD OF REVIEW MEETING – FEBRUARY 19, 2025 AGENDA

6. BOR DKT. 00353706 (P.Z.)

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

7. BOR DKT. 00336341 (J.C.)

Claimant appealed the decision of the Appeal Tribunal which held the claimant ineligible for disability benefits.

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-10 APPEAL TRIBUNAL DECISIONS REMOVED TO THE BOARD OF REVIEW ON THE BOARD'S OWN MOTION

1. BOR DKT. 00358056 (E.C.)

The Board of Review, on its own motion removes this matter to itself for consideration.

2. BOR DKT. 00368713 (C.L.)

The Board of Review, on its own motion removes this matter to itself for consideration.

ACTION: BOARD VOTED TO REMOVE THE ABOVE APPEAL TRIBUNAL CASES TO ITSELF.