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DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
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ROBERT ASARO-ANGELO
Commissioner

BOARD OF REVIEW

MINUTES OF THE REGULAR MEETING OF THE BOARD OF REVIEW MARCH 19, 2025

WILLIAM SCAGLIONE, CHAIRMAN

LISA HART, VICE CHAIRPERSON

ERIC OLSEN, BOARD MEMBER

MARYANN MORAN-SMYTH, EXECUTIVE SECRETARY



BOARD OF
REVIEW

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BOARD OF REVIEW MEETING OF MARCH 19, 2025

MARCH 19, 2025

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A regular meeting of the Board of Review was held on Wednesday, MARCH 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 MINUTES – MARCH 19, 2025 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the March 12, 2025 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE MARCH 19, 2025 BOARD MEETING.

SECTION A – HEARING MATTERS:

A-1 WITHDRAWAL OF APPEALS

1. BOR DKT. 00353558 (T.B.)

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A WITHDRAWAL OF APPEALS.

A-2 VACATED APPEALS BY THE BOARD OF REVIEW

1. BOR DKT. 00311672 (T.B.)

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

2. BOR DKT. 00343035 (C.D.)

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

3. BOR DKT. 00127328 (C.H.)

Claimant's communication was processed as an appeal of the decision of the Appeal Tribunal which denied the request to reopen the matter due to non-registration for the hearing.

4. BOR DKT. 00329961 (B.M.)

The matter was erroneously processed as an appeal to the Board of Review.

BOARD OF REVIEW MINUTES – MARCH 19, 2025 MEETING

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

A-3 DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUE

1. BOR DKT. 00360711 (T.M.)

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

2. BOR DKT. 00259319 (A.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.

3. BOR DKT. 00357682 (S.A.)

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

4. BOR DKT. 00344854 (D.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.

5. BOR DKT. 00300193 (D.R.)

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

6. BOR DKT. 00301108 (T.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.

7. BOR DKT. 00361691 (B.B.)

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

BOARD OF REVIEW MINUTES – MARCH 19, 2025 MEETING

8. BOR DKT. 00359070 (R.B.)

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

9. BOR DKT. 00334355 (L.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.

10. BOR DKT. 00276704 (A.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.

11. BOR DKT. 00359423 (K.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.

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-4 DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW

1. BOR DKT. 00338141 (A.B.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal's decision holding a disqualification for benefits for misconduct connected with the work.

2. BOR DKT. 00356832 (N.C.)

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

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

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal's decision holding a disqualification for benefits for misconduct connected with the work.

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

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

5. BOR DKT. 00281874 (M.V.G.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal's decision holding the claimant liable for a non-fraud refund.

6. BOR DKT. 00318990 (Z.V.)

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

7. BOR DKT. 00323476 (N.N.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal's decision holding the claimant not unemployed, disqualified for benefits for misconduct connected with the work, and liable for a non-fraud refund.

8. BOR DKT. 00351033 (C.P.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal decision, holding no disqualification for benefits for refusing suitable work.

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

BOARD OF REVIEW MINUTES – MARCH 19, 2025 MEETING

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

1. BOR DKT. 00360163 (K.B.)

Claimant appealed a denial of an overpayment recovery waiver under the C.A.R.E.S. Act.

2. BOR DKT. 00352105 (R.F.)

Employer appealed the decision of the Appeal Tribunal holding them liable for benefit charges to their experience rating account.

3. BOR DKT. 00338465 (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.

4. BOR DKT. 00309949 (S.B.)

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

5. BOR DKT. 00341755 (R.N.)

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

6. BOR DKT. 00359156 (A.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.

7. BOR DKT. 00341057 (M.P.)

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. 00357611 (K.R.)

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

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9. BOR DKT. 00345808 (Y.D.)

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 the Coronavirus Aid, Relief, and Economic Security, or "C.A.R.E.S." Act and liable for a non-fraud refund.

10. BOR DKT. 00321555 (K.S.)

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

11. BOR DKT. 00354297 (P.A.)

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. 00357538 (N.M.)

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

13. BOR DKT. 00337783 (A.L.)

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

14. BOR DKT. 00320422 (N.O.)

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

15. BOR DKT. 00360203 (M.E.)

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

16. BOR DKT. 00349574 (M.E.)

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

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17. BOR DKT. 00348420 (C.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 or for being discharged for misconduct connected with the work.

18. BOR DKT. 00340466 (A.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 and a liability for a non-fraud refund.

19. BOR DKT. 00339832 (K.D.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under the Division's reporting requirements.

20. BOR DKT. 00343077 (M.J.)

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

21. BOR DKT. 00341740 (J.H.E.)

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

22. BOR DKT. 00360338 (E.B.)

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

23. BOR DKT. 00361216 (U.S.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under the Division's reporting requirements.

24. BOR DKT. 00344297 (P.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.

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25. BOR DKT. 00343542 (P.L.)

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

26. BOR DKT. 00357390 (T.L.)

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

27. BOR DKT. 00360540 (S.Z.)

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

28. BOR DKT. 00356649 (W.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.

29. BOR DKT. 00344410 (D.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.

30. BOR DKT. 00375230 (M.R.)

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

31. BOR DKT. 00357914 (F.J.)

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

32. BOR DKT. 00360673 (N.H.)

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

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33. BOR DKT. 00374767 (C.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.

34. BOR DKT. 00360548 (F.P.)

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

35. BOR DKT. 00345600 (T.Y.)

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

36. BOR DKT. 00362218 (K.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.

37. BOR DKT. 00339482 (L.J.)

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

38. BOR DKT. 00380855 (T.W.)

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

39. BOR DKT. 00358722 (T.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.

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

BOARD OF REVIEW MINUTES – MARCH 19, 2025 MEETING

A-6 REOPENED AND MODIFIED DECISIONS TO THE BOARD OF REVIEW

1. BOR DKT. 00268536 (C.T.)

The Superior Court of New Jersey, Appellate Division granted a motion for remand for the Board of Review to further consider the claimant's liability to repay all or a portion of the overpayment assessed under the two determinations of entitlement rule.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REOPENED AND MODIFIED DECISIONS TO THE APPEAL TRIBUNAL.

A-7 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. BOR DKT. 00359396 (K.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.

2. BOR DKT. 00330665 (M.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.

3. BOR DKT. 00359842 (J.B.)

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

4. BOR DKT. 00343252 (T.W.)

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

5. BOR DKT. 00361848 (M.F.)

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 MINUTES – MARCH 19, 2025 MEETING

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

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

1. BOR DKT. 00351238 (A.K.)

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

2. BOR DKT. 00343667 (K.C.)

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

3. BOR DKT. 00333413 (J.M.)

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

4. BOR DKT. 00353746 (R.B.)

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-9 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00379969 (M.M.)

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

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2. BOR DKT. 00343570 (R.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.

3. BOR DKT. 00363811 (L.L.)

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

4. BOR DKT. 00346129 (D.R.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant's weekly gross earnings exceeded his partial weekly benefit rate and a liability for a non-fraud refund.

5. BOR DKT. 00371650 (J.S.)

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

6. BOR DKT. 00331030 (C.K.)

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

7. BOR DKT. 00311671 (T.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.

8. BOR DKT. 00383613 (F.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.

9. BOR DKT. 00358727 (Y.G.)

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

BOARD OF REVIEW MINUTES – MARCH 19, 2025 MEETING

10. BOR DKT. 00337485 (S.S.)

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.

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

A-10 REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL AND/OR DEPUTY

1. BOR DKT. 00337555 (M.T.J.)

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REVERSED AND REMANDED DECISION TO THE APPEAL TRIBUNAL OR DEPUTY.

A-11 REVERSED DECISIONS OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00332380 (A.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.

2. BOR DKT. 00358140 (J.D.)

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

ACTION: BOARD VOTED TO TABLE ITEM #1 FOR INCLUSION IN A FUTURE AGENDA. BOARD VOTED TO ACCEPT ITEM #2, AS REVERSED DECISIONS OF THE APPEAL TRIBUNAL AND OR THE DEPUTY BY THE BOARD OF REVIEW.

BOARD OF REVIEW MINUTES – MARCH 19, 2025 MEETING

A-12 REOPENED DECISIONS OF THE BOARD OF REVIEW ON MOTION BY APPELLANT GRANTED ON ORDER BY THE SUPERIOR COURT

1. BOR DKT. 00346821 (N.A.)

The Superior Court of New Jersey, Appellate Division granted a Motion to Remand for the Board of Review to supplement the record with documents submitted to the Court by the appellant on appeal, and to make additional findings of facts after review of those documents.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS A REOPENED DECISION OF THE BOARD OF REVIEW ON MOTION BY APPELLANT GRANTED ON ORDER BY THE SUPERIOR COURT.