MINUTES OF REGULAR MEETING OF THE BOARD OF REVIEW
MAY 31, 2023

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

LISA HART, MEMBER

MARIA ZOLA, ACTING EXECUTIVE SECRETARY
A regular meeting of the Board of Review was held on Wednesday, May 31, 2023, at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, Lisa Hart, Member, 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 MINUTES:

Submitted for adoption are the minutes of the May 17, 2023, Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE MAY 17, 2023 BOARD MEETING.

SECTION A – HEARING MATTERS:

A-1 VACATED APPEALS BY THE BOARD OF REVIEW

1. KATHLEEN CASCIO  BOR DKT. 00268858
   Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund.

2. ERICKSON FRUELDA  BOR DKT. 00269813
   Claimant's letter was docketed in error as an appeal to the Board of Review.

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 ISSUE

1. GABRIEL OWENS  BOR DKT. 00278197
   Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.

2. TYSHAWN THOMAS  BOR DKT. 00264974
   Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

3. PAUL NOTOWICZ  BOR DKT. 00277136
   Claimant appealed a decision of the Appeal Tribunal holding a refund liability.
4. **JENNIFER ALMEIDA**  
BOR DKT. 00274577  
Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.

5. **KATHERINE DE LEON**  
BOR DKT. 00316686  
Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

6. **SHADU MOOEW**  
BOR DKT. 00284870  
Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under employed full-time and a liability to a refund.

7. **LEIDA MARTINEZ**  
BOR DKT. 00276974  
Claimant appealed a decision of the Appeal Tribunal holding a disqualification for unemployment benefits for voluntarily leaving work without good cause attributable to the work, ineligibility for Pandemic Emergency Unemployment Compensation (PEUC) as that program ended under the C.A.R.E.S. ACT, and remand to the Deputy for an initial determination on a transitional benefit claim.

8. **ROSEMARIE ROBBINS**  
BOR DKT. 00280443  
Claimant appealed the decision of the Appeal Tribunal disputing the monetary entitlement on a valid claim.

**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 ISSUE.

**A-3 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW**

1. **PAMELA NOVA**  
BOR DKT. 00276496  
Claimant appealed the decision of the Appeal Tribunal which modified the claimant’s request for a pre-date of an unemployment claim.
2. JULIE KOENIG  
BOR DKT. 00267201

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

3. JOANNE CUGINO  
BOR DKT. 00272344

Claimant appealed denial of Pandemic Unemployment Assistance (PUA) benefits under Section 2102(a)(93)(A)(ii)(1) of the Coronavirus Aid, Relief, and Economic Security (C.A.R.E.S.) Act and liability to for a non-fraud refund.

4. KIARA BAUL  
BOR DKT. 00263631

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

5. RHIZLANE KENZAOUI  
BOR DKT. 00261542


6. KARLY DICKERSON  
BOR DKT. 00309414

Claimant appealed a decision of the Appeal Tribunal which denied the request to vacate a prior dismissal.

7. STEPHANIE WOODFORK  
BOR DKT. 00278026

Employer appealed a decision of the Appeal Tribunal holding the claimant not disqualified for unemployment benefits for discharge for misconduct connected with the work.

8. MIA VACCARO  
BOR DKT. 00277319

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

9. WILLIAM BOND III  
BOR DKT. 00276851

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for unemployment benefits for voluntarily leaving work without good cause
attributable to the work, and referral to the Deputy to consider eligibility for Pandemic Unemployment Assistance (PUA) under the C.A.R.E.S. ACT.

10. TYASIA SANDERS

Employer appealed a decision of the Appeal Tribunal holding an ineligibility for benefits during weeks when claimant was employed fulltime, eligibility for benefits during weeks when claimant was not employed full time, liability for a refund, and no liability for a refund.

11. OLGA NAZARIO

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

12. ANZOR MAMIYEK

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of unemployment benefits for leaving work voluntarily, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits as the claimant’s unemployment was not due to one for the COVID-19 related reasons identified under the C.A.R.E.S. Act, and a liability for a non-fraud refund.

13. SAMARA KRAFT

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

14. ANTHONY INFANTOLINO

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

15. KYLE VALENTINE

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.

16. DONALD GILSON

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid.
17. MICHELLE HERNANDEZ  
BOR DKT. 00279170  
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

18. ALLISON DINAPOLI  
BOR DKT. 00278216  
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

19. ALICIA WALKER-CARMAN  
BOR DKT. 00266754  
Claimant appealed the amended decision of the Appeal Tribunal holding a disqualification for unemployment benefits for voluntarily leaving work without good cause attributable to the work and ineligibility for Pandemic Unemployment Compensation (PUC).

20. LEXY REID  
BOR DKT. 00279397  
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.

21. VIVIAN WRIGHT  
BOR DKT. 00259974  
Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as untimely and there was no good cause for the late filing.

22. SANTA ROSARIO  
BOR DKT. 00281541  
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.

23. STEPHANIE BIGLIN  
BOR DKT. 00281260  
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.

24. NAISHA SIMON  
BOR DKT. 00278494  
Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work.
25. MICHELLE SAYER BOR DKT. 00278825

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

26. JOSHUA KIM BOR DKT. 00278104

Employer appealed a decision of the Appeal Tribunal holding no disqualification for unemployment benefits for voluntarily leaving work without good cause attributable to the work, no disqualification for refusing suitable work, and no liability for a refund of benefits.

27. ANDREA PONCE BOR DKT. 00277894

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.

28. NATALIE BERMENDER BOR DKT. 00279862

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

29. SHAROLIN SANDERS BOR DKT. 00278339

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

30. TAMMY BROWN BOR DKT. 00282655

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

31. CHRISTOPHER OTANO BOR DKT. 00278163

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

32. ALLEN HURLEY BOR DKT. 00280910

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.
33. EDDIE CRUZ, JR. BOR DKT. 00274493

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

34. IRIS TORRES BOR DKT. 00280616

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

35. JAYSON MATTHEWS BOR DKT. 00274986

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.

36. STEVEN BATH BOR DKT. 00282831

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under not actively seeking work.

37. WILLIAM KERR BOR DKT. 00281710

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.

38. TIMOTHY BROUGHTON BOR DKT. 00318733

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

39. JAHNIYA REYNOLDS BOR DKT. 00271250

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

40. ELETHIRDW GILZEAN BOR DKT. 00290152

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.
41. VICTOR MANUEL LEBRON ENCARNACION  BOR DKT. 00235580

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

42. VICTOR MANUEL LEBRON ENCARNACION  BOR DKT. 00253581

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

43. JAMES GILL  BOR DKT. 00283866

Claimant appealed the decision of the Appeal Tribunal holding the claimant employed full-time.

44. JAMES GILL  BOR DKT. 00283867

Claimant appealed the decision of the Appeal Tribunal holding the claimant employed full-time.

45. JABRIL BARNES  BOR DKT. 00264784

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

46. MARIA GONZALEZ  BOR DKT. 00277306

Claimant appealed a decision of the Appeal Tribunal holding no disqualification for unemployment benefits for refusing suitable work without good cause, and remand to the Director to recalculate the amount of the refund.

47. AHMED ABDELHALIM  BOR DKT. 00273193

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

48. LILIANA ACOSTA  BOR DKT. 00272421

Claimant appealed a decision of the Appeal Tribunal holding the claimant's appeal late without good cause and the claimant liable for refund.
49. TONY GIRARD
BOR DKT. 00280773

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Extended Benefits (EB).

50. VANESSA HUTTON
BOR DKT. 00282397

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

51. CYNTHIA SAVAIKO
BOR DKT. 00314115

Claimant appealed from a determination of the Deputy, holding the unemployment claim invalid on the ground that the claimant lacked requalifying wages.

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

**A-4 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW**

1. AMANDA GILCH
BOR DKT. 00275728

The claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance benefits, ineligible for benefits under availability for work, and liable for refund of benefits.

2. MATTHEW TUSTIN
BOR DKT. 00276415

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

3. BRYAN VAN WYK
BOR DKT. 00278992

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. SANDRA ESPINAL  BOR DKT. 00278699

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. ENI CABRERA  BOR DKT. 00278571

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

6. REBECCA SCHAD  BOR DKT. 00279115

Claimant appealed a decision of the Appeal Tribunal holding the claimant not unemployed, disqualified for unemployment 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 under the C.A.R.E.S. Act, and a liability for a non-fraud refund.

7. JENNIFER KARKOVICE  BOR DKT. 00279539

Employer appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, no disqualification of benefits for misconduct connected with the work, an ineligibility of benefits under ability and availability for work, and a liability for a non-fraud refund.

8. JENNIFER KARKIOVICE  BOR DKT. 00279540

Employer appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, no disqualification of benefits for misconduct connected with the work, an ineligibility of benefits under ability and availability for work, and a liability for a non-fraud refund.

9. JAMERE TAYLOR  BOR DKT. 00278822

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

10. KALISHA MCGRAW  BOR DKT. 00279385

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 of benefits under ability to work, and a liability for a non-fraud refund.

11. RASHA BASUF
BOR DKT. 00269986

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for unemployment benefits for voluntarily leaving work without good cause attributable to the work, ineligibility for Pandemic Unemployment Assistance (PUA) as the claimant’s unemployment was not due to one of the COVID-19 related reasons identified under the C.A.R.E.S. ACT, and liability for a non-fraud refund.

12. MAUREEN ROCHE
BOR DKT. 00257263

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) as the claimant’s unemployment was not due to one of the COVID-19 related reasons identified under the C.A.R.E.S. ACT, and liability for a non-fraud refund.

13. JULIA MARTINEZ
BOR DKT. 00257588

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for unemployment benefits due to unavailability for work, ineligibility as there were less than seven eligible days during a week of claimed benefits, eligibility for benefits for weeks when available for work, eligible for Pandemic Unemployment Assistance (PUA) for weeks when the claimant’s unemployment was due to one of the COVID-19 related reasons identified under the C.A.R.E.S. ACT, referral to the Deputy for an initial determination of PUA for other weeks of unemployment, and liability for a non-fraud refund.

14. LIDIA AMADIZ
BOR DKT. 00276903

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.

**ACTION:** BOARD VOTED TO ACCEPT THE ABOVE CASES AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW.
A-5  **AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW**

1. **ESTALE FERNANDEZ**  
BOR DKT. 00261364

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, 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 THIS CASE AS AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW.

A-6  **REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW**

1. **KEVIN KLEMENS**  
BOR DKT. 00272758

Claimant appealed voluntary leaving determination, ineligibility for PUA, and refund.

2. **KIERSTYN HAYDUCKA**  
BOR DKT. 00259918

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

3. **ZENON NAJDZINOWICZ**  
BOR DKT. 00280468

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as untimely through 07/31/21, ineligible for benefits under availability for work, and a liability for a non-fraud refund.

4. **BRITTANIE ARTHUR-FERGUSON**  
BOR DKT. 00279820

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

5. **DESTINY SEELEY**  
BOR DKT. 00278932

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid and liability for a refund.
6. CHRISTINA SANTIAGO  
BOR DKT. 00277030  
Employer appealed a decision of the Appeal Tribunal no disqualification of benefits for gross misconduct and misconduct connected with the work.

7. MOUNIR BEG  
BOR DKT. 00324763  
Deputy appealed the decision of the Appeal Tribunal holding the claimant eligible for Mixed Earners Unemployment Compensation (MEUC) benefits as the claimant had sufficient self-employment income.

8. KAITLIN HEDBLOM  
BOR DKT. 00304716  
Deputy appealed the decision of the Appeal Tribunal holding the claimant unemployed.

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

**A-7**  
**REVERSED DECISIONS OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW**

1. MACKENZIE ENGLISH  
BOR DKT. 00262792  
Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.

2. ROBERT MAZZOCCHI  
BOR DKT. 00275341  
Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work and a liability to a non-fraud refund.

3. ANTHONY BIANCAMANO  
BOR DKT. 00280943  
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. SHOGIK GENTILE  
BOR DKT. 00255193  
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily. (Board voted to remove this item from...
the reversed category and affirm the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily).

5. ROBERT BROOKS-BRULLO BOR DKT. 00270499

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

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