



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 REGULAR MEETING OF
THE BOARD OF REVIEW
AUGUST 14, 2024**

WILLIAM SCAGLIONE, CHAIRPERSON

LISA HART, VICE-CHAIRPERSON

ERIC OLSEN, MEMBER

MARIA ZOLA, 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 AUGUST 14, 2024

AUGUST 14, 2024

.....

A regular meeting of the Board of Review was held on Wednesday, AUGUST 14, 2024, at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: William Scaglione, Chairperson, Lisa Hart, Vice-Chairperson, Eric Olsen, 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 OF REVIEW MINUTES – AUGUST 14, 2024 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the August 7, 2024 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE AUGUST 7, 2024, BOARD MEETING.

SECTION A – HEARING MATTERS:

A-1 WITHDRAWAL OF APPEALS

1. BOR DKT. 00301387 (I.A.)

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

2. BOR DKT. 00360781 (A.S.)

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

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

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

1. BOR DKT. 00308126 (K.M.V.)

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

2. BOR DKT. 00318611 (M.S.)

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

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

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

BOARD OF REVIEW MINUTES – AUGUST 14, 2024 MEETING

4. BOR DKT. 00324406 (K.J.)

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

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

1. BOR DKT. 00310197 (N.B.)

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. 00302402 (C.C.)

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. BOR DKT. 00321786 (R.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. 00301250 (E.B.)

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

5. BOR DKT. 00302493 (C.V.)

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

6. BOR DKT. 00301933 (A.K.)

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

BOARD OF REVIEW MINUTES – AUGUST 14, 2024 MEETING

7. BOR DKT. 00335834 (M.G.)

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

8. BOR DKT. 00285014 (B.V.)

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

9. BOR DKT. 00316027 (F.M.H.)

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. BOR DKT. 00305597 (A.A.)

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

11. BOR DKT. 00337787 (S.K.)

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

12. BOR DKT. 00331186 (S.R.)

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

13. BOR DKT. 00331189 (S.R.)

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

14. BOR DKT. 00139780 (K.R.)

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

BOARD OF REVIEW MINUTES – AUGUST 14, 2024 MEETING

15. BOR DKT. 00300237 (E.V.)

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

16. BOR DKT. 00307648 (K.H.)

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

17. BOR DKT. 00336833 (B.B.)

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

18. BOR DKT. 00293238 (M.R.)

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

19. BOR DKT. 00329439 (I.L.G.)

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

20. BOR DKT. 00306056 (M.W.)

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

21. BOR DKT. 00327283 (T.M.)

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

22. BOR DKT. 00319663 (W.H.)

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

23. BOR DKT. 00301048 (B.F.)

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

BOARD OF REVIEW MINUTES – AUGUST 14, 2024 MEETING

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

A-4 REOPENED AND AFFIRMED DECISIONS BY THE BOARD OF REVIEW

1. BOR DKT. 00273102 (M.P.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of 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 to a non-fraud refund.

ACTION: BOARD VOTED TO ACCEPT THIS CASE AS REOPENED AND AFFIRMED DECISIONS BY THE BOARD OF REVIEW.

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

1. BOR DKT. 00258327 (M.N.)

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

2. BOR DKT. 00302449 (M.U.)

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.

3. BOR DKT. 00302450 (M.U.)

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.

4. BOR DKT. 00364568 (W.B.)

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

BOARD OF REVIEW MINUTES – AUGUST 14, 2024 MEETING

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

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

1. BOR DKT. 00308955 (A.C.)

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

ACTION: BOARD VOTED TO ACCEPT THIS CASE AS MODIFIED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW.

A-7 REMANDED AND REOPENED DECISIONS TO THE APPEAL TRIBUNAL

1. BOR DKT. 00314322 (E.L.)

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 THIS CASE AS REMANDED AND REOPENED DECISIONS TO THE APPEAL TRIBUNAL.

A-8 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00258328 (M.N.)

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

2. BOR DKT. 00330457 (S.M.)

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 to a non-fraud refund.

BOARD OF REVIEW MINUTES – AUGUST 14, 2024 MEETING

3. BOR DKT. 00330460 (S.M.)

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 to a non-fraud refund.

4. BOR DKT. 00306964 (A.P.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for misconduct connected with the work and no liability to a non-fraud refund.

5. BOR DKT. 00312344 (Y.E.)

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

6. BOR DKT. 00335452 (J.T.)

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

7. BOR DKT. 00331990 (R.M.)

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

8. BOR DKT. 00337616 (W.F.)

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

9. BOR DKT. 00337307 (A.C.)

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

10. BOR DKT. 00337229 (M.E.J.)

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

BOARD OF REVIEW MINUTES – AUGUST 14, 2024 MEETING

11. BOR DKT. 00312242 (A.R.)

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

12. BOR DKT. 00331389 (W.K.)

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

13. BOR DKT. 00332873 (J.G.)

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.

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

1. BOR DKT. 00324064 (A.S.)

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

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

BOARD OF REVIEW MATTERS:

SWEARING IN OF MARYANN MORAN-SMYTH AS AN ALTERNATE BOARD OF REVIEW MEMBER