MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
AUGUST 24, 2022

NANCY HUNT, CHAIRPERSON
WILLIAM SCAGLIONE, VICE-CHAIR
LISA HART, ACTING EXECUTIVE SECRETARY
A regular meeting of the Board of Review was held on Wednesday, SEPTEMBER 7, 2022 at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, Lisa Hart, 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 August 24, 2022 Board meeting.

**ACTION:** BOARD VOTED TO ADOPT THE MINUTES OF THE AUGUST 24, 2022 BOARD OF REVIEW MEETING.

**SECTION A – HEARING MATTERS:**

**A-1  VACATED APPEALS BY THE BOARD OF REVIEW**

1. **STACIE GOGO**  
   BOR DKT. 00257867  
   
   Claimant’s letter was processed as an appeal to a decision of the Appeal Tribunal holding the claimant ineligible for benefits on the ground that she was employed full time.

2. **SUSAN BARNES**  
   BOR DKT. 00256324  
   
   Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed, a denial of Pandemic Unemployment Assistance (PUA) benefits, and a liability to a non-fraud refund.

**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. **SHABANA BABAR**  
   BOR DKT. 00255095  
   
   Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

**ACTION:** BOARD VOTED TO ACCEPT THE ABOVE CASE AS A DISMISSED APPEAL BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUE.
A-3  REOPENED BOARD OF REVIEW APPEALS

1. VALERIE GRANBERRY  BOR DKT. 00253940

Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund. The Board of Review on August 24, 2022 dismissed the appeal as late to the Board.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REOPENED APPEAL TO THE BOARD OF REVIEW

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

1. ANTHONY FRANK  BOR DKT. 00256481

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

2. CARMEN ORTIZ  BOR DKT. 00256871

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

3. THOMAS HOLLOWAY  BOR DKT. 00256939

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

4. WILLIAM BROADFIELD  BOR DKT. 00254928

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. CARLA BENCIVENGO  BOR DKT. 00251977

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.
6. LISA TAORMINA  BOR DKT. 00255843

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

7. JASON GWALTNEY  BOR DKT. 00261089

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work and a liability to a refund.

8. RICKY RAMIREZ  BOR DKT. 00254743

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work and a liability to a refund.

9. JULIAN LANTIGUA  BOR DKT. 00259824

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under ability to work and a liability to a refund.

10. BENJAMIN GARDINER  BOR DKT. 00255615

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

11. STANLEY JANOWICZ  BOR DKT. 00256825

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Emergency Unemployment Compensation (PEUC) benefits and a liability for a refund.

12. LADRUNDA GARY  BOR DKT. 00260602

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

13. AMANDA BAÑUELOS  BOR DKT. 00259803

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 to a refund.

14. JUAN RODRIGUEZ  BOR DKT. 00259314
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and a liability for a non-fraud refund.

15. DANIEL ROMAN    BOR DKT. 00259477

Employer appealed a decision of the Appeal Tribunal holding a disqualification of benefits for discharge for misconduct.

16. EMMANUEL ADAM   BOR DKT. 00251768

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

17. BRIAN RACEK     BOR DKT. 00256099

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 to a refund.

18. ALFREDO ORAMA   BOR DKT. 00257886

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

19. SALOMIN EDWARDS BOR DKT. 00257507

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 to a refund.

20. BRYAN HICIANO   BOR DKT. 00255644

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

21. BRYAN HICIANO   BOR DKT. 00255649

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 that subsequent weeks and wages were insufficient to remove the disqualification.
22. BRYAN HICIANO      BOR DKT. 00255646

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 that subsequent weeks and wages were insufficient to remove the disqualification.

23. HOWARD ABBER      BOR DKT. 00256495

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of 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 in the C.A.R.E.S. Act and a liability to a non-fraud refund.

24. HOWARD ABBER      BOR DKT. 00260010

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of 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 in the C.A.R.E.S. Act and a liability to a non-fraud refund.

25. ANTHONY JOHNSON     BOR DKT. 00251220

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

26. BRIAN SCHAD      BOR DKT. 00257500

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

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

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

1. TYSHON WALKER      BOR DKT. 00277369

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.
2. ALICIA SAMPLE BOR DKT. 00242435

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 ineligible for benefits under availability for work.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REVERSALS OF APPEAL TRIBUNAL DECISIONS

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

1. WILLIAM WATTS BOR DKT. 00259965

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

2. NITISH DOSANJH BOR DKT. 00258790

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, an ineligibility 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.

3. WADE KALDAWI BOR DKT. 00262253

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

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

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

1. SHARON FIGUEROA BOR DKT. 00243377

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits as the claimant’s unemployment was
<table>
<thead>
<tr>
<th>Claimant</th>
<th>BOR DKT.</th>
<th>Appeal Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>CHRISTOPHER GRAY</td>
<td>00255694</td>
<td>Claimant appealed the Appeal Tribunal decision holding the unemployment claim invalid and a liability to a non-fraud refund.</td>
</tr>
<tr>
<td>RASHIDA CASSUBHAI</td>
<td>00254293</td>
<td>Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund.</td>
</tr>
<tr>
<td>AMALFI ORTEGA DUARTE</td>
<td>00254096</td>
<td>Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under availability for work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.</td>
</tr>
<tr>
<td>JULIA MORREALE</td>
<td>00252454</td>
<td>Claimant appealed a decision of the Appeal Tribunal holding a disqualification for leaving work voluntarily without good cause attributable to the work and an ineligibility for Pandemic Unemployment Assistance (PUA) and liability to a refund.</td>
</tr>
<tr>
<td>JHON MONTESDEOCA</td>
<td>00258490</td>
<td>Claimant appealed a decision of the Appeal Tribunal holding an ineligibility under not unemployed.</td>
</tr>
<tr>
<td>SHAWN LANGSTON</td>
<td>00257378</td>
<td>Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of Pandemic Unemployment Assistance (PUA) benefits.</td>
</tr>
<tr>
<td>OSKAIRA CRUZ</td>
<td>00260054</td>
<td>Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits as the claimant had reasonable assurance of reemployment with an educational institution.</td>
</tr>
</tbody>
</table>
ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS MODIFICATION OF APPEAL TRIBUNAL DECISIONS.

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

1. DEANDRE MORGAN BOR DKT. 00245194

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS AN AFFIRMED AND REMANDED DECISION TO THE APPEAL TRIBUNAL.

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

1. KARINA KONCHALSKI BOR DKT. 00257526

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

2. EGIDIO COSCARELLI BOR DKT. 00256843

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

3. CECILIA CASTILLO BOR DKT. 00254956

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

4. MICHELE MONICO BOR DKT. 00261772

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

5. TAHIRA KHAN BOR DKT. 00257976
Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and a liability for a non-fraud refund.

6. STEPHEN BURGER  
BOR DKT. 00257055

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

7. DANA MELLOR  
BOR DKT. 00257541

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits under leaving work voluntarily without good cause attributable to the work and an ineligibility for Pandemic Unemployment Assistance (PUA) benefits.

8. LETICIA VELASQUEZ  
BOR DKT. 00252105

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

9. ALAN HERNANDEZ  
BOR DKT. 00259053

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

10. HAIRIYA IDDRISS  
BOR DKT. 00259796

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 for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

11. SHANNON COX  
BOR DKT. 00251869

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, an ineligibility for Pandemic Unemployment 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.

12. REBECCA GUZMAN  
BOR DKT. 00258385
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 refund liability.

13. ANNAMARIE PEREZ BOR DKT. 00259303

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work, and no liability for non-fraud refund.

14. WILMARIS MONTANEZ BOR DKT. 00259498

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, 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 a liability for a non-fraud refund.

15. NAIDAA AHMED BOR DKT. 00242912

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility under not unemployed, not available for work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

16. TITUS BACHELOR BOR DKT. 00260106

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

17. NATALIE AULICINO BOR DKT. 00255248

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 to a refund.

18. ADELAIDE MOLINA BOR DKT. 00257839

Claimant appealed a decision of the Appeal Tribunal holding an ineligible for unemployment benefits under availability for 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 under the C.A.R.E.S. Act, and liable for a non-fraud refund.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY.
A-10 Reversed and Remanded Decisions to the Appeal Tribunal

1. ROSEBERTHE MESADIEU

Claimant appealed a 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.

Section B – Miscellaneous Matters/Cases for Discussion

B-1 BRYAN STEWART

Claimant appealed the decision of the Appeal Tribunal which denied the claimant’s request for a pre-date of an unemployment claim. (Appellate Specialist Jackson)

Action: Board voted to set aside the Appeal Tribunal’s decision holding the claimant ineligible for regular benefits and to deny the claimant’s request to backdate a PUA claim.

B-2 RAUL BRIJLALL

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits under leaving work voluntarily without good cause attributable to such work. (Appellate Specialist Hart)

Action: Board voted to affirm the decision of the Appeal Tribunal.

B-3 RYAN MCERLEAN

BOR DKT. 00256830

BOR DKT. 00260153

BOR DKT. 00260708

BOR DKT. 00259332
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 an agency refund. (Appellate Specialist Jackson)

**ACTION:** BOARD VOTED TO REVERSE AND TO HOLD THE CLAIMANT ELIGIBLE FOR BENEFITS UNDER REFUSAL OF SUITABLE WORK.

B-4 ROBERT MITZEN BOR DKT. 00256881

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, a 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 an agency refund. (Appellate Specialist Jackson)

**ACTION:** BOARD VOTED TO AFFIRM THE DECISION OF THE APPEAL TRIBUNAL.