



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 SEPTEMBER 25, 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 SEPTEMBER 25, 2024

SEPTEMBER 25, 2024

.....
A regular meeting of the Board of Review was held on Wednesday, SEPTEMBER 25, 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 – SEPTEMBER 25, 2024 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the September 18, 2024 Board meeting.

**ACTION: THE BOARD VOTED TO ADOPT THE MINUTES OF THE
SEPTEMBER 18, 2024 BOARD MEETING.**

SECTION A – HEARING MATTERS:

A-1 VACATED APPEALS BY THE BOARD OF REVIEW

1. BOR DKT. 00328816 (M.K.)

Claimant's communication was processed as an appeal of the decision of the Appeal Tribunal which held the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms.

2. BOR DKT. 00356221 (N.P.)

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

3. BOR DKT. 00336717 (C.W.)

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

4. BOR DKT. 00248167 (D.W.)

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
VACATED APPEALS BY THE BOARD OF REVIEW.**

BOARD OF REVIEW MINUTES – SEPTEMBER 25, 2024 MEETING

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

1. BOR DKT. 00285503 (T.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 and ineligible for benefits under ability to work.

2. BOR DKT. 00362797 (L.M.)

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits, and a liability for a non-fraud refund.

3. BOR DKT. 00301339 (F.K.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause and a liability to a non-fraud refund.

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 DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW

1. BOR DKT. 00312433 (M.Y.)

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

ACTION: BOARD VOTED TO ACCEPT THIS CASE AS DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW.

BOARD OF REVIEW MINUTES – SEPTEMBER 25, 2024 MEETING

A-4 REOPENED BOARD OF REVIEW APPEALS

1. BOR DKT. 00348228 (M.W.)

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

ACTION: BOARD VOTED TO ACCEPT THIS CASE AS REOPENED BOARD OF REVIEW APPEALS.

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

1. BOR DKT. 00365868 (S.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. 00322903 (N.M.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily, no disqualification for benefits for misconduct connected with the work, and holding the claimant eligible for benefits under availability, ability, and active search for work.

3. BOR DKT. 00322906 (N.M.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily, no disqualification for benefits for misconduct connected with the work, and holding the claimant eligible for benefits under availability, ability, and active search for work.

4. BOR DKT. 00322908 (N.M.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily, no disqualification for benefits for misconduct connected with the work, and holding the claimant eligible for benefits under availability, ability, and active search for work.

BOARD OF REVIEW MINUTES – SEPTEMBER 25, 2024 MEETING

5. BOR DKT. 00322910 (N.M.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily, no disqualification for benefits for misconduct connected with the work, and holding the claimant eligible for benefits under availability, ability, and active search for work.

6. BOR DKT. 00322911 (N.M.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for leaving work voluntarily, no disqualification for benefits for misconduct connected with the work, and holding the claimant eligible for benefits under availability, ability, and active search for work.

7. BOR DKT. 00321996 (D.E.)

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

8. BOR DKT. 00327367 (T.L.)

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

9. BOR DKT. 00300657 (A.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.

10. BOR DKT. 00344111 (G.L.)

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

11. BOR DKT. 00337114 (D.V.)

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

BOARD OF REVIEW MINUTES – SEPTEMBER 25, 2024 MEETING

12. BOR DKT. 00343608 (C.S.)

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

13. BOR DKT. 00321690 (H.W.)

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

14. BOR DKT. 00316720 (K.M.)

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.

15. BOR DKT. 00322307 (A.K.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant was not unemployed.

16. BOR DKT. 00339249 (C.L.)

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

17. BOR DKT. 00337021 (L.D.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant disqualified for benefits for a period of one year from the date of discovery by the Division for the illegal receipt of benefits, liable for a fraud refund, and subject to a fine.

18. BOR DKT. 00342725 (C.M.)

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

19. BOR DKT. 00330385 (J.S.)

BOARD OF REVIEW MINUTES – SEPTEMBER 25, 2024 MEETING

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

20. BOR DKT. 00280830 (J.U.H.)

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

21. BOR DKT. 00311669 (T.S.)

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

22. BOR DKT. 00269254 (K.R.)

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.

23. BOR DKT. 00330098 (D.D.)

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

24. BOR DKT. 00335234 (J.S.)

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 holding no disqualification from benefits for misconduct connected with the work.

25. BOR DKT. 00341384 (M.N.)

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

26. BOR DKT. 00311750 (D.T.P.)

BOARD OF REVIEW MINUTES – SEPTEMBER 25, 2024 MEETING

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

27.

28. BOR DKT. 00281452 (A.D.)

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

29. BOR DKT. 00333821 (G.W.)

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

30. BOR DKT. 00243992 (T.S.)

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. 00359651 (S.C.B.)

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

32. BOR DKT. 00351474 (N.G.)

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

33. BOR DKT. 00254816 (M.R.)

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

34. BOR DKT. 00289189 (S.T.)

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

35. BOR DKT. 00339160 (S.N.)

BOARD OF REVIEW MINUTES – SEPTEMBER 25, 2024 MEETING

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

36. BOR DKT. 00328242 (N.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.

37. BOR DKT. 00326865 (M.N.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification for benefits for leaving work voluntarily without good cause attributable to the work. **(This case was tabled for further review by the Board)**

38. BOR DKT. 00300590 (C.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.

39. BOR DKT. 00343393 (S.M.)

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

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

A-6 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. BOR DKT. 00311325 (J.G.)

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

BOARD OF REVIEW MINUTES – SEPTEMBER 25, 2024 MEETING

2. BOR DKT. 00323402 (M.D.)

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

3. BOR DKT. 00329810 (D.K.)

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

4. BOR DKT. 00328338 (J.M.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training (ABT).

5. BOR DKT. 00322036 (E.R.)

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

6. BOR DKT. 00335430 (P.S.)

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 CASES AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW.

A-7 AFFIRMED AND MODIFIED DECISIONS OF THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW

1. BOR DKT. 00329783 (P.T.)

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 and an ineligibility for Pandemic Unemployment Assistance (PUA) benefits.

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

BOARD OF REVIEW MINUTES – SEPTEMBER 25, 2024 MEETING

A-8 REOPENED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. BOR DKT. 00339045 (M.M.)

Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter as the claimant did not request within 180 days subsequent to the dismissal without prejudice.

2. BOR DKT. 00302284 (M.M.)

Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter as the claimant did not request within 180 days subsequent to the dismissal without prejudice.

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. 00328540 (W.C.)

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

2. BOR DKT. 00318367 (R.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.

3. BOR DKT. 00329549 (M.G.)

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

4. BOR DKT. 00340213 (C.G.)

BOARD OF REVIEW MINUTES – SEPTEMBER 25, 2024 MEETING

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

5. BOR DKT. 00301698 (J.Z.)

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

6. BOR DKT. 00316519 (D.L.)

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant was unable to establish labor market attachment as required by Section 2102(a)(3)(A) of the C.A.R.E.S. Act and the Continued Assistance for Unemployed Workers Act of 2020, and liable for a non-fraud refund.

7. BOR DKT. 00320180

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

8. BOR DKT. 00325647 (M.D.D.)

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

9. BOR DKT. 00265200 (C.P.)

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

10. BOR DKT. 00330881 (T.T.)

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.

11. BOR DKT. 00322049 (P.P.)

BOARD OF REVIEW MINUTES – SEPTEMBER 25, 2024 MEETING

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

12. BOR DKT. 00335855 (S.J.)

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

13. BOR DKT. 00300654 (S.C.R.)

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

14. BOR DKT. 00300655 (S.C.R.)

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 BY THE BOARD OF REVIEW.

A-10 REVERSED DECISIONS OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00343371 (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.

2. BOR DKT. 00320117 (J.S.)

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

3. BOR DKT. 00321340 (D.R.)

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 MINUTES – SEPTEMBER 25, 2024
MEETING**

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