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## 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 NOVEMBER 13, 2024

**WILLIAM SCAGLIONE, CHAIRMAN**

**LISA HART, VICE-CHAIRPERSON**

**ERIC OLSEN, MEMBER**

**LUIS VARGAS, ACTING EXECUTIVE SECRETARY**



BOARD OF  
REVIEW

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AD-18.94 (9/23)

**BOARD OF REVIEW MEETING OF NOVEMBER 13, 2024**

**NOVEMBER 13, 2024**

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**A regular meeting of the Board of Review was held on Wednesday, NOVEMBER 13, 2024, at 10:00 a.m., via conference call, in Trenton, New Jersey**

**PRESENT: William Scaglione, Chairperson, Lisa Hart, Vice-Chairperson, Eric Olsen, Member, Luis Vargas, 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 MEETING – NOVEMBER 13, 2024 AGENDA**

### **BOARD MINUTES:**

Submitted for adoption are the minutes of the November 6, 2024 Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE NOVEMBER 6, 2024 BOARD MEETING.**

### **SECTION A – HEARING MATTERS:**

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

**1. BOR DKT. 00344228 (J.F.)**

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

**2. BOR DKT. 00321655 (Y.O.B.)**

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 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. BOR DKT. 00326939 (K.W.)**

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

**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 ISSUES.**

## **BOARD OF REVIEW MEETING – NOVEMBER 13, 2024 AGENDA**

### **A-3 DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW**

#### **1. BOR DKT. 00295593 (L.G.A.)**

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal decision which denied the claimant's request for a pre-date of an unemployment claim.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A DENIAL OF REOPENING TO THE BOARD OF REVIEW.**

### **A-4 REOPENED BOARD OF REVIEW APPEALS**

#### **1. BOR DKT. 00325176 (L.P.)**

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal decision 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 a liability to a non-fraud refund.

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

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

#### **1. BOR DKT. 00332987 (M.O.)**

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

#### **2. BOR DKT. 00343880 (L.A.)**

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

#### **3. BOR DKT. 00338761 (A.L.)**

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

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**4. BOR DKT. 00334124 (S.D.)**

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for partial unemployment benefits as his earnings exceeded the partial weekly benefit rate, and liable for a non-fraud refund.

**5. BOR DKT. 00331841 (A.M.)**

Claimant appealed a decision of the Appeal Tribunal holding the weekly benefit rate reduced due to a pension offset, and liable for a non-fraud refund.

**6. BOR DKT. 00335804 (J.D.)**

Claimant appealed the decision of the Appeal Tribunal holding the claim for regular benefits invalid due to insufficient weeks and wages and 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.

**7. BOR DKT. 00326343 (C.N.)**

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

**8. BOR DKT. 00342540 (S.C.)**

Deputy appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to no jurisdiction over the matter of general eligibility for Pandemic Unemployment Assistance (PUA).

**9. BOR DKT. 00330119 (N.C.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.

**10. BOR DKT. 00333165 (C.P.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.

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### **11. BOR DKT. 00301347 (C.W.)**

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

### **12. BOR DKT. 00339160 (S.N.)**

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

### **13. BOR DKT. 00322277 (S.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.

### **14. BOR DKT. 00320133 (F.R.)**

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

### **15. BOR DKT. 00358444 (A.V.)**

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

### **16. BOR DKT. 00345438 (D.Y.)**

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

### **17. BOR DKT. 00358217 (A.W.)**

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

### **18. BOR DKT. 00332350 (P.F.)**

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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### 19. BOR DKT. 00260231 (M.B.)

Claimant appealed a decision of the Appeal Tribunal holding her ineligible for 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 CARES Act, and liable for non-fraud refund.

### 20. BOR DKT. 00343793 (M.P.)

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

### 21. BOR DKT. 00321363 (S.M.)

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

### 22. BOR DKT. 00345175 (N.W.)

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 liable for a non-fraud refund.

### 23. BOR DKT. 00328345 (O.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 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. 00321213 (D.T.)

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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2. BOR DKT. 00327254 (D.C.)

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under not unemployed and a refund liability.

3. BOR DKT. 00327255 (D.C.)

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

4. BOR DKT. 00327256 (D.C.)

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for benefits under not unemployed.

5. BOR DKT. 00327257 (D.C.)

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

6. BOR DKT. 00330264 (P.G.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification for 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 REOPENED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL**

1. BOR DKT. 00315837 (A.A.)

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

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REOPENED AND REMANDED DECISION TO THE APPEAL TRIBUNAL.**



## BOARD OF REVIEW MEETING – NOVEMBER 13, 2024 AGENDA

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

1. BOR DKT. 00335853 (P.S.)

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

2. BOR DKT. 00332205 (R.L.)

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

3. BOR DKT. 00339556 (S.G.)

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

4. BOR DKT. 00352357 (J.D.)

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

5. BOR DKT. 00375290 (C.R.)

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

6. BOR DKT. 00362312 (A.J.)

Claimant requested a reopening to a decision of the Board of Review affirming the Appeal Tribunal's decision dismissing the claimant's appeal as it was filed late without good cause.

7. BOR DKT. 00334619 (R.T.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits 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.**

## **BOARD OF REVIEW MEETING – NOVEMBER 13, 2024 AGENDA**

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

#### **1. BOR DKT. 00323906 (M.D.)**

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

#### **2. BOR DKT. 00323908 (M.D.)**

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

#### **3. BOR DKT. 00333302 (P.G.)**

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

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