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DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
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ROBERT ASARO-ANGELO
Commissioner

BOARD OF REVIEW

**MINUTES OF THE REGULAR MEETING OF
THE BOARD OF REVIEW
DECEMBER 4, 2024**

WILLIAM SCAGLIONE, CHAIRMAN

ERIC OLSEN, BOARD MEMBER

MARYANN MORAN-SMYTH, EXECUTIVE SECRETARY



**BOARD OF
REVIEW**

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BOARD OF REVIEW MEETING OF DECEMBER 4, 2024

DECEMBER 4, 2024

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A regular meeting of the Board of Review was held on Wednesday, DECEMBER 4, 2024, at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: William Scaglione, Chairperson, Eric Olsen, Board Member, Maryann Moran-Smyth, 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 – DECEMBER 4, 2024 AGENDA

BOARD MINUTES:

Submitted for adoption are the minutes of the November 27, 2024 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE NOVEMBER 27, 2024 BOARD MEETING.

SECTION A – HEARING MATTERS:

A-1 VACATED APPEALS BY THE BOARD OF REVIEW

1. BOR DKT. 00335994 (J.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.

2. BOR DKT. 00251536 (I.M.)

The claimant's appeal 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. BOR DKT. 00273929 (J.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 and liability for a non-fraud refund.

2. BOR DKT. 00268269 (L.W.)

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

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3. BOR DKT. 00340966 (D.P.)

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

4. BOR DKT. 00221992 (M.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.

5. BOR DKT. 00210621 (E.S.)

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

6. BOR DKT. 00249778 (M.S.)

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

7. BOR DKT. 00349038 (D.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.

8. BOR DKT. 00276391 (M.T.)

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 DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUES.

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

1. BOR DKT. 00350794 (T.J.J.)

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

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2. BOR DKT. 00345680 (T.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.

3. BOR DKT. 00341995 (J.P.)

Claimant appealed the decision of the Appeal Tribunal denying the request for overpayment waiver.

4. BOR DKT. 00337151 (B.G.)

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

5. BOR DKT. 00345671 (R.J.)

Claimant appealed a 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.

6. BOR DKT. 00338273 (L.P.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant employed full-time and liability for a non-fraud refund.

7. BOR DKT. 00319292 (C.W.)

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

8. BOR DKT. 00321804 (L.T.)

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

9. BOR DKT. 00293312 (C.P.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification from 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 CARES Act and a liability for a non-fraud refund.

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10. BOR DKT. 00346706 (T.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.

11. BOR DKT. 00334018 (E.J.)

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

12. BOR DKT. 00322631 (Y.B.G.)

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

13. BOR DKT. 00351176 (O.T.)

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

14. BOR DKT. 00351355 (C.G.)

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons under 15 U.S.C. 9021(a)(3)(A)(ii)(I) (the Coronavirus Aid, Relief, and Economic Security, or "CARES" Act).

15. BOR DKT. 00349348 (D.B.)

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

16. BOR DKT. 00289621 (N.L.)

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. 00321214 (Y.G.C.)

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

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attributable to the work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits, and a liability for a non-fraud refund.

18. BOR DKT. 00349819 (A.B.)

Claimant appealed a 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 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW.

A-4 REVERSED AND MODIFIED DECISIONS/DETERMINATIONS OF THE APPEAL TRIBUNAL AND/OR DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00328682 (A.B.)

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 REVERSED AND MODIFIED DECISION/DETERMINATION OF THE APPEAL TRIBUNAL AND/OR DEPUTY BY THE BOARD OF REVIEW.

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

1. BOR DKT. 00350235 (N.F.)

Claimant appealed a decision of the Appeal Tribunal which remanded the matter of refund to the Director.

2. BOR DKT. 00299353 (M.S.)

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

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

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

1. BOR DKT. 002588638 (A.R.)

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 CASE AS A REOPENED AND REMANDED DECISION TO THE APPEAL TRIBUNAL.

A-7 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00326320 (T.T.)

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

2. BOR DKT. 00350414 (L.P.)

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

3. BOR DKT. 00327395 (L.A.)

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

4. BOR DKT. 00348350 (C.C.)

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

5. BOR DKT. 00356532 (L.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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6. BOR DKT. 00344565 (B.R.)

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

7. BOR DKT. 00334108 (M.D.)

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. 00334581

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

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

A-8 REVERSED DECISIONS OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00348298 (O.W.)

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

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