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DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
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Commissioner

BOARD OF REVIEW

**MINUTES OF THE REGULAR MEETING OF
THE BOARD OF REVIEW
DECEMBER 18, 2024**

WILLIAM SCAGLIONE, CHAIRMAN

ERIC OLSEN, BOARD MEMBER

MARYANN MORAN-SMYTH, EXECUTIVE SECRETARY



**BOARD OF
REVIEW**

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AD-18.94 (9/23)

BOARD OF REVIEW MEETING OF DECEMBER 18, 2024

DECEMBER 18, 2024

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A regular meeting of the Board of Review was held on Wednesday, DECEMBER 18, 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 MINUTES – DECEMBER 18, 2024 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the December 11, 2024 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE DECEMBER 11, 2024 BOARD MEETING.

OLD BUSINESS:

1. 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. **(Erroneously placed in the Remand section in the meeting of December 4, 2024. To be placed in the section of the Affirmations of Appeal Tribunal decisions.)**

ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL.

SECTION A – HEARING MATTERS:

A-1 VACATED APPEALS BY THE BOARD OF REVIEW

1. BOR DKT. 00268202 (E.C.)

Claimant's communication was processed as an appeal of the decision of the Appeal Tribunal which dismissed the appeal without prejudice.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A VACATED APPEAL 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. 00351566 (M.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.

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2. BOR DKT. 00302740 (G.T.)

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

3. BOR DKT. 00329819 (T.P.)

Claimant appealed the decision of the Appeal Tribunal dismissing the claimant's appeal as all no justiciable issues.

4. BOR DKT. 00319381 (K.H.)

The claimant appealed a decision of the Appeal Tribunal denying the request to reopen a prior dismissal and to schedule a new hearing.

5. BOR DKT. 00329283 (T.C.)

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. 00313265 (A.G.)

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

7. BOR DKT. 00326696 (I.P.)

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.

8. BOR DKT. 00334301 (J.S.)

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

9. BOR DKT. 00277687 (A.E.)

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

10. BOR DKT. 00334678 (K.M.)

Employer appealed a decision of the Appeal Tribunal holding no disqualification for benefits for refusing suitable work.

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11. BOR DKT. 00283597 (D.P.)

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

12. BOR DKT. 00230595 (T.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.

13. BOR DKT. 00335663 (M.F.)

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

14. BOR DKT. 00238756 (L.J.)

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

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

1. BOR DKT. 00315888 (N.M.)

Claimant is requesting a reopening of the Board of Review decision, affirming the Appeal Tribunal's decision holding the claimant eligible for Pandemic Unemployment Assistance (PUA) as the claimant's unemployment was due to one of COVID-19 related reasons identified under the CARES Act, and not liable for a non-fraud refund.

2. BOR DKT. 00275616 (K.A.)

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

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ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS DENIALS OF REOPENING REQUESTS BY THE BOARD OF REVIEW.

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

1. BOR DKT. 00342378 (A.M.)

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

2. BOR DKT. 00341789 (C.P.)

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

3. BOR DKT. 00330643 (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.

4. BOR DKT. 00349456 (J.W.)

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. 00353824 (R.P.)

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

6. BOR DKT. 00324893 (D.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.

7. BOR DKT. 00334853 (D.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.

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8. BOR DKT. 00316399 (J.S.)

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

9. BOR DKT. 00349371 (M.M.)

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

10. BOR DKT. 00323444 (C.R.)

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

11. BOR DKT. 00351382 (T.R.)

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. 00352356 (C.S.)

Employer appealed a decision of the Appeal Tribunal holding the claimant not disqualified for benefits for misconduct connected with the work, and not disqualified for benefits for leaving work voluntarily without good cause attributable to the work.

13. BOR DKT. 00350318 (J.A.)

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

14. BOR DKT. 00345897 (A.G.)

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

15. BOR DKT. 00336413 (J.T.)

Employer appealed a decision of the Appeal Tribunal holding no disqualification for benefits for failing to accept or apply for suitable work, and no ineligibility for benefits under ability to work.

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16. BOR DKT. 00348109 (J.P.)

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

17. BOR DKT. 00337829 (M.A.W.)

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

18. BOR DKT. 00348439 (M.D.)

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

19. BOR DKT. 00351245 (J.W.)

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

20. BOR DKT. 00299559 (E.V.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification for benefits for leaving work voluntarily without good cause attributable to the work, holding the claimant ineligible for benefits for failure to meet reporting requirements in accordance with Division regulations and a liability for a non-fraud refund.

21. BOR DKT. 00345797 (R.P.)

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

22. BOR DKT. 00341557 (T.T.)

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

23. BOR DKT. 00325766 (N.E.)

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

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24. BOR DKT. 00332730 (O.B.)

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

25. BOR DKT. 00348514 (J.R.)

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

26. BOR DKT. 00334296 (I.B.)

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

27. BOR DKT. 00368049 (J.V.)

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.

28. BOR DKT. 00337585 (G.P.M.)

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

29. BOR DKT. 00329413 (C.P.)

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

30. BOR DKT.00336068 (C.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 and holding a disqualification for benefits for misconduct connected with the work.

31. BOR DKT. 00334383 (J.N.R.)

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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32. BOR DKT. 00342681 (S.T.)

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility for a waiver of overpayment.

33. BOR DKT. 00328968 (K.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 and a liability for a non-fraud refund.

34. BOR DKT. 00346051 (G.D.)

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

35. BOR DKT. 00355709 (D.M.)

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

36. BOR DKT. 00367905 (E.A.)

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

37. BOR DKT. 00340488 (B.B.)

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as no justiciable issue.

38. BOR DKT. 00352645 (M.P.)

Claimant appealed the decision of the Appeal Tribunal reducing the weekly benefit rate due to receipt of a pension from a base year or chargeable employer and a liability for a non-fraud refund.

39. BOR DKT. 00353091 (U.B.)

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

40. BOR DKT. 00320525 (E.W.J.)

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

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41. BOR DKT. 00330683 (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.

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

A-5 AFFIRMED AND REVERSED APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. BOR DKT. 00309634 (M.M.)

Claimant appealed the decision of the Appeal Tribunal which held the claimant ineligible for Family Leave Disability benefits.

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

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

1. BOR DKT. 00315604 (R.B.)

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

2. BOR DKT. 00349009 (K.S.)

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

3. BOR DKT. 00358467 (D.W.)

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for refusing suitable work or for being discharged for misconduct connected with the work.

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ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW. NOTE #4, IN THIS CATEGORY, WAS NOT LISTED ON THE DECEMBER 18, 2024 AGENDA BUT WAS ADDED AS A SUPPLEMENTAL DOCKET DURING THE OPEN PUBLIC MEETING.

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

1. BOR DKT. 00299484 (C.R.)

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. 00328377 (P.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. 00346128 (C.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.

4. BOR DKT. 00352909 (J.W.)

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

5. BOR DKT. 00350211 (L.S.)

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

6. BOR DKT. 00325105 (K.G.)

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

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7. BOR DKT. 00351046 (T.A.)

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

8. BOR DKT. 00300119 (A.N.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.

9. BOR DKT. 00343214 (E.D.)

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. 00329403 (C.P.)

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

11. BOR DKT. 00342758 (C.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.

12. BOR DKT. 00366728 (F.C.)

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

13. BOR DKT. 00354570 (B.Y.)

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.

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

1. BOR DKT. 00345145 (B.H.)

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 CASE AS A REVERSED DECISION OF THE APPEAL TRIBUNAL AND/OR THE DEPUTY BY THE BOARD OF REVIEW.