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State of New Jersey
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
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Commissioner

BOARD OF REVIEW

**MINUTES OF REGULAR MEETING OF
THE BOARD OF REVIEW
DECEMBER 30, 2020**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

SHAHRAZAD A. LEDAN, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING DECEMBER 30, 2020

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A regular meeting of the Board of Review was held on Wednesday, December 30, 2020 at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, Shahrazad A. Ledan, 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 – DECEMBER 30, 2020 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the December 16, 2020 Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE
DECEMBER 16, 2020 MEETING.**

SECTION A – HEARING MATTERS

A-1 WITHDRAWAL OF APPEALS

1. ALBERT MARTIN BOR DKT. 00223067

Employer requested to withdraw their appeal of the Appeal Tribunal decision holding no disqualification of benefits for misconduct connected with the work.

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

A-2 VACATED APPEALS TO THE BOARD OF REVIEW

1. ANAT SHMULOVICH BOR DKT. 00221014

Claimant submitted a letter that was erroneously processed as an appeal to the Board of Review.

2. DANIELLE DERIEUX BOR DKT. 00216478

Claimant submitted a letter that was erroneously processed as an appeal to the Board of Review.

3. RITA KING BOR DKT. 00224098

Claimant submitted a letter that was erroneously processed as an appeal to the Board of Review.

4. CHRISTOPHER DAVIDSON BOR DKT. 00219174

Claimant submitted a letter that was erroneously processed as an appeal to the Board of Review.

BOARD OF REVIEW MINUTES – DECEMBER 30, 2020 MEETING

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS
VACATED APPEALS TO THE BOARD OF REVIEW.**

A-3 DISMISSALS OF LATE APPEALS OR NO JUSTICIABLE ISSUE TO THE BOARD OF REVIEW

1. VICTOR JINOTTI BOR DKT. 00209710

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

2. EUGENE COLEMAN BOR DKT. 00198288

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

3. ANGELICA WILLIAMS BOR DKT. 00202178

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

4. NIKKI GIORDANO BOR DKT. 00219277

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms.

5. RODOLFO OSOY BOR DKT. 00220289

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

6. PAIGE HUMEN BOR DKT. 00202383

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

7. KENNETH LODER BOR DKT. 00208722

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, and holding the claimant ineligible for benefits under availability for work.

**BOARD OF REVIEW MINUTES – DECEMBER 30, 2020
MEETING**

- 8. EBONY NEWBILL** BOR DKT. 00198618

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

- 9. BREYONNA ALLEN** BOR DKT. 00210459

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and that subsequent weeks and wages were insufficient to remove the disqualification imposed.

- 10. ANTHONY THORPE** BOR DKT. 00200651

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

- 11. AMY ALLEGRINO-MORALES** BOR DKT. 00209942

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

- 12. JANET TOLEDO** BOR DKT. 00208819

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and the dismissing the appeal, in part, as late without good cause.

- 13. RAHEEN MELVIN** BOR DKT. 00193895

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

- 14. HUAN LI** BOR DKT. 00213675

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

- 15. JOSE SERRANO** BOR DKT. 00205807

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

- 16. TAMARA RILEY** BOR DKT. 00207669

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

**BOARD OF REVIEW MINUTES – DECEMBER 30, 2020
MEETING**

17. XIAOXIN CAI BOR DKT. 00187334

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

18. RICHARD MAYTE BOR DKT. 00201573

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

19. SUPERIOR KING BOR DKT. 00216459

Claimant appealed a decision of the Appeal Tribunal which dismissed the appeal and remanded the matter of dependency allowance to the Deputy for a determination.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS
DISMISSALS OF LATE APPEALS OR NO JUSTICIABLE
ISSUES TO THE BOARD OF REVIEW.**

A-4 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. HANA AHN BOR DKT. 00212843

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

2. JAMIE OSTERGAARD BOR DKT. 00212533

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

3. NATHANIEL BAEZ BOR DKT. 00218012

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

4. MARCELINE BEAUGE CELESTIN BOR DKT. 00223704

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

**BOARD OF REVIEW MINUTES – DECEMBER 30, 2020
MEETING**

5. VIRGINIA HERNANDEZ BOR DKT. 00219460

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

6. CAROLINE SIRMANS BOR DKT. 00225749

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

7. MIGUEL SOSA BOR DKT. 00220468

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

8. DANIELLE ZACCAGNI BOR DKT. 00224773

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

9. MARILUZ FIGUEROA BOR DKT. 00223634

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

10. MALACHI GABLE BOR DKT. 0022482

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

11. JUDY TYNDALL BOR DKT. 00220358

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

12. WALTER WRONIUK BOR DKT. 00217670

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 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS.

BOARD OF REVIEW MINUTES – DECEMBER 30, 2020 MEETING

A-5 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. LARISSA SAPONARA BOR DKT. 00223241

Claimant appealed a decision of the Appeal Tribunal which withdrew the claimant's appeal.

2. ANTHONY MUCCILO BOR DKT. 00225125

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

3. MINDY DENNY BOR DKT. 00217591

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, and holding the claimant liable for a non-fraud refund.

4. JESSICA HE BOR DKT. 00225152

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 liable for a non-fraud refund.

5. ASHLEY VALENTIN BOR DKT. 00225473

Claimant appealed the decision of the Appeal Tribunal which held the claimant ineligible for benefits as the claimant was not unemployed, and ineligible for Pandemic Unemployment Assistance as the claimant's unemployment was not due to a Covid-19 related reason, and held the claimant liable for a non-fraud refund.

6. MICHELLE METZ BOR DKT. 00223560

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, liable for a non-fraud refund and ineligible for Pandemic Unemployment Assistance.

7. MAVIS OTCHERE BOR DKT. 00224216

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

**BOARD OF REVIEW MINUTES – DECEMBER 30, 2020
MEETING**

- 8. JONAS VICIOSO** BOR DKT. 00221594

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

- 9. WENDY SOROKATA** BOR DKT. 00218787

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 holding the claimant liable for a non-fraud refund.

- 10. REINA ZORRILLA** BOR DKT. 00208950

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

- 11. ELOY PAREDES** BOR DKT. 00219505

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

- 12. ZULMA FLORES** BOR DKT. 00209398

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

- 13. LUIS DIAZ** BOR DKT. 00218482

Employer appealed the decision of the Appeal Tribunal dismissing the appeal due to non-registration for the hearing.

- 14. THOMAS THOMPSON** BOR DKT. 00221709

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work and liable for non-fraud refund.

- 15. CRISTINA AGUIRRE-LOPEZ** BOR DKT. 00219355

Employer appealed a decision of the Appeal Tribunal holding no disqualification for misconduct connected with the work, and not liable for a non-fraud refund.

**BOARD OF REVIEW MINUTES – DECEMBER 30, 2020
MEETING**

16. ILKA POU BOR DKT. 00214699

Employer appealed a decision of the Appeal Tribunal holding no disqualification for misconduct connected with the work, and not liable for a non-fraud refund.

17. KYLE HAMMONDS BOR DKT. 00219771

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

18. CHAYLEEN PROBASCO BOR DKT. 00206274

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily, a disqualification of benefits for misconduct connected with the work, and not ineligible for benefits under availability for work.

19. MICHAEL SOTIRE BOR DKT. 00218635

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

20. REBIE SPELL BOR DKT. 00226864

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

21. DENISE NOBLE BOR DKT. 0022468

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily and not liable for a non-fraud refund.

22. MARIA BORJA BOR DKT. 00219162

Employer appealed a decision of the Appeal Tribunal holding the claimant unemployed and not working full-time.

23. JARED DOTTS BOR DKT. 00219438

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

24. DIANA WILLIAMS BOR DKT. 00220212

Employer appealed a decision of the Appeal Tribunal holding the claimant filed which held no disqualification of benefits for leaving work voluntarily.

**BOARD OF REVIEW MINUTES – DECEMBER 30, 2020
MEETING**

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

SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 CHRISTINA PALACIOS BOR DKT. 00204742

Claimant appealed a decision of the Appeal Tribunal holding the unemployment claim invalid. (**Appellate Specialist Zola**)

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A DISMISSAL OF LATE APPEAL TO THE BOARD OF REVIEW.

B-2 SWALAHA MOHAMED BOR DKT. 00211281

Employer appealed the decision of the Appeal Tribunal dismissing the appeal due to non-registration for the hearing. (**Appellate Specialist Matos**)

ACTION: BOARD VOTED TO TABLE THIS CASE TO A FUTURE AGENDA FOR FURTHER REVIEW AFTER SENDING A LETTER TO THE EMPLOYER FOR CLARIFICATION REGARDING WHETHER THEY HAVE CONFIRMATION OF REGISTRATION FOR THE HEARING.

B-3 DONNAJEAN TULL BOR DKT. 00220203

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work. (**Appellate Specialist Zola**)

ACTION: BOARD VOTED TO TABLE THIS CASE TO A FUTURE AGENDA FOR FURTHER REVIEW AFTER SENDING A LETTER TO THE CLAIMANT FOR CLARIFICATION REGARDING WHEN THE CLAIMANT MAILED HER APPEAL LETTER TO THE BOARD.

**BOARD OF REVIEW MINUTES – DECEMBER 30, 2020
MEETING**

B-4 NORA RODRIGUEZ BOR DKT. 00217603

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A DISMISSAL OF LATE APPEAL TO THE BOARD OF REVIEW.

B-5 MICHAEL PETROWSKI BOR DKT. 00205868

Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to non-registration for the hearing. (**Appellate Specialist Matos**)

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REMAND TO THE APPEAL TRIBUNAL TO GIVE THE CLAIMANT ANOTHER OPPORTUNITY TO REGISTER AND PARTICIPATE IN A HEARING.

B-6 ANTHONY MANIACI BOR DKT. 00206103

Employer appealed the decision of the Appeal Tribunal holding no disqualification for benefits for misconduct connected with the work. (**Appellate Specialist Alverio**)

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REMAND TO THE APPEAL TRIBUNAL TO GIVE THE EMPLOYER AN OPPORTUNITY TO PRESENT A FIRSHAND WITNESS.