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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
JANUARY 5, 2022**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

ANDREA JACKSON, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING JANUARY 5, 2022

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A regular meeting of the Board of Review was held on Wednesday, January 5, 2022 at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, Andrea Jackson, 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 – JANUARY 5, 2022 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the December 22, 2021 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE DECEMBER 22, 2021 BOARD MEETING.

OLD BUSINESS

1. BRIAN QUILTY

BOR DKT: 00244338

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, 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 in the CARES Act and liability for non-fraud refund. (**This case was tabled in the meeting of October 27, 2021 for further review by the Board.**)

ACTION: BOARD VOTED TO MODIFY THE DECISION OF THE APPEAL TRIBUNAL AND HOLD THE APPEAL TIMELY IN ACCORDANCE WITH N.J.S.A.43:21-6(b)(1), NO DISQUALIFICATION FOR REGULAR UNEMPLOYMENT BENEFITS UNDER N.J.S.A.43:21-5 (a) WITH EMPLOYER #1, INELIGIBLE FOR REGULAR UNEMPLOYMENT BENEFITS FROM MARCH 15, 2020 THROUGH JUNE 20, 2020 UNDER N.J.S.A.43:21-4(c), INELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS FROM MARCH 15, 2020 THROUGH MAY 9, 2020 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, ELIGIBLE FOR PANDEMIC UNEMPLOYMENT ASSISTANCE (PUA) BENEFITS FROM MAY 10, 2020 THROUGH JUNE 20, 2020, LIABLE TO REFUND THE SUM OF \$3,104.00 RECEIVED AS BENEFITS FOR THE WEEKS ENDING MARCH 21, 2020 THROUGH MAY 9, 2020, AND NOT LIABLE TO REFUND THE SUM OF \$2,328.00 RECEIVED AS BENEFITS FOR THE WEEKS ENDING MAY 16, 2020 THROUGH JUNE 20, 2020.

BOARD OF REVIEW MINUTES – JANUARY 5, 2022 MEETING

SECTION A – HEARING MATTERS:

A-1 VACATED APPEALS TO THE BOARD OF REVIEW

1. SHADAI ALLEN BOR DKT: 00194697

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

2. CURTIS GRAMETBAUER BOR DKT: 00205377

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

3. BELINDA BUSH BOR DKT: 00231026

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

4. SUSAN LERER BOR DKT: 00245546

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

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

A-2 DISMISSALS OF LATE APPEALS OR NON-JUSTICIABLE ISSUES TO THE BOARD OF REVIEW

1. LETICIA HERRERA BOR DKT: 00225037

Claimant appealed a decision of the Appeal Tribunal denying the request to vacate a prior dismissal for non-appearance.

2. KEVIN PANARELLO BOR DKT: 00242467

Claimant appealed the Appeal Tribunal decision holding a denial of Extended Benefits (EB).

BOARD OF REVIEW MINUTES – JANUARY 5, 2022 MEETING

3. HYEJUNG JANG BOR DKT: 00245006

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

4. MANAL BKHEIT BOR DKT: 00211675

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

5. MEXZI BAILETTI BOR DKT: 00241969

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

6. PULSAR WILLIAMS BOR DKT: 0029272

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under availability to work, an ineligibility 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 a liability for a non-fraud refund.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS DISMISSALS OF LATE APPEALS OR NON-JUSTICIABLE ISSUES TO THE BOARD OF REVIEW.

A-3 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. ADELA KARULI BOR DKT: 00223694

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS AN AFFIRMATION OF AN APPEAL TRIBUNAL DECISION.

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A-4 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. ADALBERTO GIL BOR DKT: 00238284

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits under misconduct connected with the work and no ineligibility for benefits under employed full-time.

2. ELIZABETH POCCIA BOR DKT: 00237595

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, ineligible for Pandemic Unemployment Assistance (PUA) benefits and liable for a refund.

3. RUDOLPH MELI BOR DKT: 00215132

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work and a liability to a non-fraud refund.

4. JASON GWALTNEY BOR DKT: 00261089

The claimant appealed a decision of the Appeal Tribunal which dismissed his appeal.

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

A-5 REOPENED AND REMANDED DECISION FROM THE SUPERIOR COURT

1. PATRICIA CHARLES BOR DKT. 00187183

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily.

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REOPENED AND REMANDED DECISION FROM THE SUPERIOR COURT.