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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
FEBRUARY 26, 2020**

JOSEPH SIEBER, CHAIRMAN

NANCY HUNT, VICE-CHAIRPERSON

WILLIAM SCAGLIONE, BOARD MEMBER

BOARD OF REVIEW MEETING FEBRUARY 26, 2020

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A regular meeting of the Board of Review was held on Wednesday, February 26, 2020 at 10:00 a.m., in Trenton, New Jersey

PRESENT: Joseph Sieber, Chairman, and Nancy Hunt, Vice-Chairperson, William Scaglione, Board Member, and Shahrazad A. Ledan, Acting Executive Secretary.

In accordance with L1975, c.231, the Chairman 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 – FEBRUARY 26, 2020 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the February 19, 2020 Board meeting.

**ACTION: THE BOARD VOTED TO ADOPT THE MINUTES OF THE
FEBRUARY 19, 2020 MEETING.**

SECTION A – HEARING MATTERS

A-1 DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW

- 1. LETICIA PRESTAN** **BOR DKT. 00183128**

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

- 2. YESENIA AVILA** **BOR DKT. 00198411**

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

- 3. YONGHA KIM** **BOR DKT. 00200599**

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible under ability issue.

- 4. AMEENAH DANMOLE** **BOR DKT. 00197079**

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

- 5. JACKSON CONTRERAS** **BOR DKT. 00200417**

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

- 6. RASHAWN BANKS** **BOR DKT. 00200281**

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

**BOARD OF REVIEW MINUTES – FEBRUARY 26, 2020
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ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW.

A-2 DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW

- 1. SHANERE DELOACH** **BOR DKT. 00192139**

Claimant is requesting reconsideration of the Board of Review' decision affirming the Appeal Tribunal's decision which held the claimant ineligible for Additional Benefits During Training (ABT).

- 2. MICHAEL BARTLEY, JR.** **BOR DKT. 00199565**

The claimant requests a reconsideration of the Board of Review's decision affirming the Appeal Tribunals decision which held the claimant disqualified for benefits for leaving work voluntarily.

- 3. ANGELO APOSTOLIS** **BOR DKT. 00195069**

The claimant requests reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision which held the claimant disqualified for benefits for leaving work voluntarily.

- 4. APRIL WILLIAMS** **BOR DKT. 00159126**

The claimant requests reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision denying the claimant's request to reopen as the claimant did not have good cause for requesting reopening and failing to register in the hearing dated September 18, 2018.

- 5. KADDEJAH HARRISON** **BOR DKT. 00144536**

The Claimant requests reconsideration of the Board of Review's decision affirming the Appeal Tribunal's decision holding no misconduct.

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

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A-3 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

- 1. BRENDA LAWRENCE** **BOR DKT. 00199184**

Claimant appealed the decision of the Appeal Tribunal holding no disqualification of benefits for discharge.

- 2. ROSEANN BONASTIA** **BOR DKT. 00199361**

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

- 3. MEGHAN DECOITE** **BOR DKT. 00201274**

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

- 4. WAKEISHA MCCLAIN** **BOR DKT. 00191938**

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

- 5. ROGER DONAHUE** **BOR DKT. 00201814**

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

- 6. ALLAN PARKER** **BOR DKT. 00196884**

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

- 7. AMANDA SOTO** **BOR DKT. 00201076**

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

- 8. JEANETTE COLEMAN** **BOR DKT. 00199884**

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

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- 9. AISHA BALAAM** BOR DKT. 00199484

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

- 10. EBONY JOHNSON** BOR DKT. 00201782

Claimant appealed a decision of the Appeal Tribunal holding the claimant filed a late appeal with good cause and ineligible for benefits under availability for work.

- 11. OMAR KANTE** BOR DKT. 00200761

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

- 12. THOMAS HICKEY** BOR DKT. 00201984

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

- 13. YURI TORRES** BOR DKT. 00196513

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

- 14. AKEE CRADLE** BOR DKT. 00198103

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

- 15. TYSHAHN NEAL** BOR DKT. 00198931

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

- 16. KIM MILLER** BOR DKT. 00200196

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

- 17. NICHOLAS BURKEY** BOR DKT. 00200903

Claimant appealed the decision of the Appeal Tribunal holding the claimant disqualified for benefits for misconduct connected with the work.

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18. DIANA GATTI BOR DKT. 00201598

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

19. YONGHA KIM BOR DKT. 0020595

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

20. CHRIS VAPORE BOR DKT. 00201605

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

21. MICHAEL BRUNETTI BOR DKT. 00201057

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily. **(Placed this case on hold as claimant submitted letter dated February 17, 2020 requesting audio recordings and documents in the file).**

22. RICHARD PALMATIER BOR DKT. 00200917

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Additional Benefits During Training (ABT).

23. KIMBERLY GIBSON BOR DKT. 00200099

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

24. JOANNE ROGERS BOR DKT. 00200014

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

25. LISA LEIFKEN BOR DKT. 00197050

Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the appeal.

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26. KHALILAH JONES BOR DKT. 00201421

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

27. DEVIN HANKINS BOR DKT. 00201989

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

28. DREANNA HAYES BOR DKT. 00202615

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

29. NICHOLE IMPARATO BOR DKT. 00196134

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

30. HEATHER FAMELIO BOR DKT. 00201811

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

31. SHANAE DIXON BOR DKT. 00200434

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

32. ALICIA BENTON BOR DKT. 00200593

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

33. JOHN TOMPSON BOR DKT. 00201194

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

34. CHARLES TURNER BOR DKT. 00193028

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

**BOARD OF REVIEW MINUTES – FEBRUARY 26, 2020
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ACTION: THE BOARD VOTED TO ACCEPT THE ABOVE CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS, WITH THE EXCEPTION OF #21 MICHAEL BRUNETTI WHICH WAS REMOVED FROM THE LIST AND PENDED BECAUSE THE CLAIMANT REQUESTED THE AUDIO RECORDING. CASE WILL BE PLACED ON A FUTURE AGENDA.

A-4 REVERSALS OF APPEAL TRIBUNAL DECISIONS

1. BRYAN PORTER BOR DKT. 00200003

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

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

A-5 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. RENEE CLEMENTE BOR DKT. 00192490

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

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

A-6 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. ANGELENIA GRAVES BOR DKT. 00201141

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

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2. JULISSA TORRES-DAVILA BOR DKT. 00200442

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

3. ASHNE MYERS BOR DKT. 00196841

Claimant appealed a decision of the Appeal Tribunal which held the employer's appeal timely, no disqualification for discharge from the work and held the claimant disqualified for benefits for leaving the work voluntarily without good cause attributable to such work.

4. CARLOS RIVERA BOR DKT. 00200815

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

5. LATOYA KIRKLAND BOR DKT. 00201542

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

6. ERINI REZKALLAH BOR DKT. 00198022

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

7. WILLIAM KIRCHHOFF BOR DKT. 00201200

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

8. KARLA ESCOBAR BOR DKT. 00201282

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

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

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SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 ELIZABETH VOTA BOR DKT. 00198465

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

ACTION: THE BOARD VOTED TO MODIFY THE APPEAL TRIBUNAL DECISION TO A REFUSAL OF SUITABLE WORK DENIED.

B-2 SHAWN THOMAS BOR DKT. 00201170

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

ACTION: THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION AND ADDRESS THE REFUND WITH A REWRITE IN THE BOARD'S DECISION.

B-3 JEFFREY PATSON BOR DKT. 00200995

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits under reporting requirements.

ACTION: THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL.

B-4 LAWRENCE VUZ BOR DKT. 00200798

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

ACTION: THE BOARD VOTED TO REMAND FOR ADDITIONAL TESTIMONY FROM THE CLAIMANT.

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B-5 NERISSA BARNES

BOR DKT. 00202713

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

ACTION: THE BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION WITH A REWRITE TO ADDRESS THE CLAIMANT’S CONTENTIONS REGARDING THE APPEALS EXAMINER’S CONDUCT IN THE HEARING.

B-6 JACOB BUSER

BOR DKT. 00199665

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

ACTION: THE BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION AND HOLD A REFUSAL OF SUITABLE WORK ALLOWED.

B-7 AARON MCCARGO

BOR DKT. 00200449

Claimant appealing the decision of the Appeal Tribunal which denied the claimants request for a predate of an unemployment claim.

ACTION: THE BOARD VOTED TO MODIFY THE APPEAL TRIBUNAL’S DECISION.