



PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lieutenant Governor*

**State of New Jersey**  
DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT  
P.O. Box 110  
TRENTON, NEW JERSEY 08625-0110

ROBERT ASARO-ANGELO  
*Commissioner*

**BOARD OF REVIEW**

**MINUTES OF REGULAR MEETING OF  
THE BOARD OF REVIEW  
MARCH 17, 2021**

**NANCY HUNT, CHAIRPERSON**

**WILLIAM SCAGLIONE, VICE-CHAIR**

**LISA HART, ACTING EXECUTIVE SECRETARY**

**BOARD OF REVIEW MEETING MARCH 24, 2021**

**MARCH 24, 2021**

.....  
**A regular meeting of the Board of Review was held on Wednesday, March 17, 2021 at 10:00 a.m., via conference call, in Trenton, New Jersey**

**PRESENT: Nancy Hunt, Chairperson, William Scaglione, Vice-Chairperson, Lisa Hart, 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 – MARCH 24, 2021 MEETING**

### **BOARD MINUTES:**

Submitted for adoption are the minutes of the March 17, 2021 Board meeting.

**ACTION: BOARD VOTED TO ACCEPT THE MINUTES OF MARCH 17, 2021 BOARD MEETING.**

### **OLD BUSINESS:**

**1. HECTOR NUÑEZ** **BOR DKT. 00218486**

Claimant appealed decision of the Appeal Tribunal holding an ineligibility for benefits as the claimant was employed full-time. **(This case was tabled in the meeting of March 10, 2021 for clarification from the Division).**

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION.**

**2. HECTOR NUÑEZ** **BOR DKT. 00218493**

Claimant appealed decision of the Appeal Tribunal holding an ineligibility for benefits as the claimant was employed full-time. **(This case was tabled in the meeting of March 10, 2021 for clarification from the Division).**

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION.**

### **SECTION A – HEARING MATTERS**

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

**1. JASON FALASCO** **BOR DKT. 00202923**

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

## BOARD OF REVIEW MINUTES – MARCH 24, 2021 MEETING

2. TASHIRA MCKOY BOR DKT. 00226732

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for gross misconduct and a liability to a non-fraud refund.

3. RYNTELLO ULMER BOR DKT. 00226358

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

4. AKIESHA MCLENDON BOR DKT. 00208239

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

5. ALIANDRA MARRERO BOR DKT. 00209146

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

6. ANAKA HAMLET BOR DKT. 00205510

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

7. RAMON ESTEVEZ BOR DKT. 00213626

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 ineligible under ability to work.

8. ROSANNY ESPINAL BOR DKT. 00223055

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 for a non-fraud refund.

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

## BOARD OF REVIEW MINUTES – MARCH 24, 2021 MEETING

### A-2 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS

1. PATRICK CROKER BOR DKT. 00229371

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, a pension reduction and a denial of Pandemic Unemployment Assistance (PUA) benefits.

2. MICHAEL DAMICO BOR DKT. 00226266

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 non-fraud refund.

3. CHRISTOPHER JOHNSON BOR DKT. 00210786

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

4. IMAN OMAR BOR DKT. 00218928

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

5. IMAN OMAR BOR DKT. 00218929

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

6. KAROLANGE TURPO BOR DKT. 00209185

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

7. GREGORY ADAMSON BOR DKT. 00221095

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

8. RACHID BOULAOUZ BOR DKT. 00222847

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

## BOARD OF REVIEW MINUTES – MARCH 24, 2021 MEETING

**9. MARIA DEFRANCO** BOR DKT. 00223357

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 liability for non-fraud refund.

**10. JYNITA HARVEY** BOR DKT. 00225616

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

**11. MOHAMMED CHOWDHURY** BOR DKT. 00219723

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

**12. MATTHEW FARRELL** BOR DKT. 00222970

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

**13. VERONICA WEBB** BOR DKT. 00223702

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. TOMMY WRIGHT** BOR DKT. 00216314

Claimant appealed a decision of the Appeal Tribunal reducing the weekly benefit rate due to a pension offset.

**15. MEDALIT ARAUIO** BOR DKT. 00221172

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.

**16. BARBARA GARCIA** BOR DKT. 00205059

Claimant appealed a 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 – MARCH 24, 2021 MEETING

**17. SHARON VANDYKE**

BOR DKT. 00229739

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.

**18. KATHERINE THOMPSON**

BOR DKT. 00176443

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 a liability to a non-fraud refund.

**19. ALEC RADOVANOVIC**

BOR DKT. 00222349

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

**20. RICHARD MIRANDE**

BOR DKT. 00229464

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

**21. HONG AHN**

BOR DKT. 00229197

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, ineligible for Pandemic Unemployment Assistance (PUA) benefits under Section 2102(a)(3)(A)(ii)(I) of the Coronavirus Aid, Relief, and Economic Security Act (CARES) Act and a liability to a non-fraud refund.

**22. CHRISTOPHER STEELE**

BOR DKT. 00223465

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons and liable for non-fraud refund.

**23. ALLYSON WEGELER**

BOR DKT. 00223394

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

**24. FATIEMA SHAIWANY**

BOR DKT. 00229753

Employer appealed a decision of the Appeal Tribunal holding no disqualification of benefits for refusing suitable work, no denial of Pandemic Unemployment

## BOARD OF REVIEW MINUTES – MARCH 24, 2021 MEETING

Assistance (PUA) benefits as the claimant's unemployment was due to one of the COVID-19 related reasons and the claimant not liable for a non-fraud refund.

**25. BAILEY CASE** BOR DKT. 00225474

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

**26. NOUR VAROQUA** BOR DKT. 00229374

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 a liability to a non-fraud refund.

**27. ASIA ARMSTRONG** BOR DKT. 00212445

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

**28. ADAM FOX** BOR DKT. 00220250

Claimant appealed the decision of the Appeal Tribunal reducing the weekly benefit rate due to receipt of a pension.

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

**A-3 AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR THE DEPUTY**

**1. NORA JONES** BOR DKT. 00225367

Claimant appealed the decision of the Appeal Tribunal holding the claim invalid on the ground that the claimant is not considered unemployed while on a leave of absence and a liability to a non-fraud refund.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS AN AFFIRMED AND REMANDED DECISION TO THE APPEAL TRIBUNAL OR DEPUTY.**



## BOARD OF REVIEW MINUTES – MARCH 24, 2021 MEETING

### A-4 REVERSALS OF APPEAL TRIBUNAL DECISIONS

1. MICHAEL FORE BOR DKT. 00222155

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

2. SIMA RABINOWITZ BOR DKT. 00222497

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

3. GAVIN SCRIBELLITO BOR DKT. 00218673

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

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REVERSALS OF THE APPEAL TRIBUNAL DECISIONS.**

### A-5 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. SAMARA CAPRIS BOR DKT. 00225178

Claimant appealed the decision of the Appeal Tribunal dismissing her appeal as late without good cause and a liability to a non-fraud refund.

2. JACEK KAWECKI BOR DKT. 00229078

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

3. MARIE JOSEPH BOR DKT. 00229005

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, a denial of Pandemic Unemployment Assistance (PUA) benefits on the ground that the claimant was not unemployed due to a qualifying reason identified under the Coronavirus Aid, Relief, and Economic Security (CARES) Act and a liability to a non-fraud refund.

## BOARD OF REVIEW MINUTES – MARCH 24, 2021 MEETING

### 4. ALFREDO AROCHA BOR DKT. 00215217

Claimant appealed a decision of the Appeal Tribunal reducing the weekly benefit rate due to receipt of a pension from a base year employer.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS.**

### A-6 REOPENED AND MODIFIED DECISIONS FROM THE SUPERIOR COURT

#### 1. ERICA MOBLEY BOR DKT. 00188495

Appellate Division remanded the matter to the Board of Review to issue a decision which reflects the most recent statute.

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

### A-7 REOPENED, AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR THE DEPUTY

#### 1. DIANA CARRELO BOR DKT. 00213598

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

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A REOPENED, AFFIRMED AND REMANDED DECISION TO THE APPEAL TRIBUNAL OR THE DEPUTY.**

### A-8 MODIFIED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL OR DEPUTY

#### 1. ASHLEY KNOX BOR DKT. 00229353

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

## BOARD OF REVIEW MINUTES – MARCH 24, 2021 MEETING

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS A MODIFIED AND REMANDED DECISION TO THE APPEAL TRIBUNAL OR DEPUTY.**

### A-9 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. AUDREY MCGOWAN BOR DKT. 00226238

Claimant's correspondence was processed as an appeal to a decision of the Appeal Tribunal which remanded the matter of an adjusted weekly benefit rate to the Deputy.

2. WILLIAM STERN BOR DKT. 00229625

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

3. MIRQUEYA LLUBERES BOR DKT. 00211217

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

4. MELISSA HOLOD BOR DKT. 00221177

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

5. KANSAS MYERS BOR DKT. 00211695

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

6. KANSAS MYERS BOR DKT. 00211696

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

7. GAIL PIETROPOLA BOR DKT. 00222961

Employer appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily without good cause attributable to the work, no disqualification of benefits for misconduct connected with the work and the claimant not liable for a non-fraud refund.

## BOARD OF REVIEW MINUTES – MARCH 24, 2021 MEETING

**8. KIM BAGLIERI** BOR DKT. 00219200

Claimant appealed the decision of the Appeal Tribunal holding the claim valid.

**9. CELESTINA GARCIA** BOR DKT. 00229714

Claimant appealed the decision of the Appeal Tribunal which denied the claimant's request for a pre-date of a Pandemic Unemployment Assistance (PUA) claim.

**10. MARIA MATTIS** BOR DKT. 00221860

Claimant appealed a decision of the Appeal Tribunal holding the claimant was not unemployed and the unemployment claim invalid.

**11. BRIAN ZAWISTOWSKI** BOR DKT. 00217129

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

**12. KATHLEEN RHATICAN** BOR DKT. 00220066

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

**13. BRENDAN SORIA** BOR DKT. 00229294

Claimant appealed the Appeal Tribunal's decision holding him employed full time and liable for a non-fraud refund.

**14. JOEL PICHARDO GUZMAN** BOR DKT. 00229635

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

**15. RASHIDA SPEARMAN** BOR DKT. 00207812

Claimant appealed a 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 – MARCH 24, 2021 MEETING

16. RHONDA HUGHES

BOR DKT. 00217800

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily and ineligible for Pandemic Unemployment Assistance (PUA).

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

### SECTION B - MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

B-1 MISTY LEE

BOR DKT. 00211388

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

**ACTION: BOARD VOTED TO REMAND TO THE APPEAL TRIBUNAL TO ADDRESS DIVISION RECORDS REGARDING THE CLAIMANT'S DISABILITY CLAIM.**

B-2 LEILA ALMARZOH

BOR DKT. 00223611

Claimant appealed denial of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons. (**Appellate Specialist Alverio**)

**ACTION: BOARD VOTED TO SET ASIDE THE APPEAL TRIBUNAL'S DECISION, TO REINSTATE THE DEPUTY'S DETERMINATION AND TO ADD A STATEMENT TO CLARIFY THE CLAIMANT'S RECEIPT OF A PENSION.**

## BOARD OF REVIEW MINUTES – MARCH 24, 2021 MEETING

**B-3** LISA CUNNINGHAM

BOR DKT. 00215488

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.**

**B-4** MICHAEL SARKIS

BOR DKT. 00206498

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

**ACTION: BOARD VOTED TO REMAND FOR CONFRONTATION BETWEEN THE CLAIMANT AND THE EMPLOYER AND FOR THE APPEAL TRIBUNAL TO CONSIDER DOCUMENTS SUBMITTED BY THE EMPLOYER ON APPEAL TO THE BOARD OF REVIEW.**