



PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lieutenant Governor

State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
P.O. BOX 937, TRENTON, NEW JERSEY 08625-0937

ROBERT ASARO-ANGELO
Commissioner

BOARD OF REVIEW

MINUTES OF REGULAR MEETING OF THE BOARD OF REVIEW APRIL 3, 2024

WILLIAM SCAGLIONE, CHAIRPERSON

LISA HART, VICE-CHAIRPERSON

MARIA ZOLA, ACTING EXECUTIVE SECRETARY



BOARD OF
REVIEW

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BOARD OF REVIEW MEETING OF APRIL 3, 2024

APRIL 3, 2024

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A regular meeting of the Board of Review was held on Wednesday, APRIL 3, 2024, at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: William Scaglione, Chairperson, Lisa Hart, Vice-Chairperson, Maria Zola, 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 - APRIL 3, 2024 MEETING

BOARD MINUTES:

Submitted for adoption are the minutes of the March 27, 2024 Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE MARCH 27, 2024 BOARD MEETING.

SECTION A – HEARING MATTERS:

A-1 VACATED APPEALS BY THE BOARD OF REVIEW

1. BOR DKT. 00317490 (D.F.)

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

ACTION: BOARD VOTED TO ACCEPT THIS CASE AS VACATED APPEALS 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. 00317008 (Y.B.J.)

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

2. BOR DKT. 00260504 (J.D.)

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.

3. BOR DKT. 00281998 (T.D.)

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

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4. BOR DKT. 00317030 (L.R.)

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for benefits for refusing suitable work, holding the claimant not unemployed, and a liability to a non-fraud refund.

5. BOR DKT. 00314160 (C.G.)

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.

6. BOR DKT. 00312048 (M.M.)

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

7. BOR DKT. 00313909 (N.C.)

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

8. BOR DKT. 00313535 (L.C.)

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

A-3 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. BOR DKT. 00315990 (T.B.)

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

2. BOR DKT. 00315621 (E.L.)

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.

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3. BOR DKT. 00316751 (K.C.)

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

4. BOR DKT. 00317405 (R.G.)

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 for a non-fraud refund.

5. BOR DKT. 00273828 (M.H.)

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. 00317962 (L.S.)

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

7. BOR DKT. 00315350 (G.A.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed and a liability to a non-fraud refund.

8. BOR DKT. 00305596 (J.P.)

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

9. BOR DKT. 00318114 (E.K.)

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

10. BOR DKT. 00283331 (S.R.)

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

11. BOR DKT. 00318482 (C.C.S.)

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

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12. BOR DKT. 00317388 (J.L.)

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 for a non-fraud refund.

13. BOR DKT. 00275428 (D.P.)

Claimant appealed the 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 in the C.A.R.E.S. Act and liability for non-fraud reason.

14. BOR DKT. 00279248 (M.S.)

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

15. BOR DKT. 00304152 (K.W.)

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

16. BOR DKT. 00318035 (J.H.)

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

17. BOR DKT. 00293623 (F.P.)

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

18. BOR DKT. 00299675 (J.D.)

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

19. BOR DKT. 00319218 (N.D.)

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

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20. BOR DKT. 00318868 (D.T.)

Claimant appealed a decision of the Appeal Tribunal denying the appellant's request that the decision to dismiss the appeal be vacated and for a new hearing to be scheduled.

21. BOR DKT. 00333720 (D.G.S.)

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

22. BOR DKT. 00312171 (M.L.)

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

23. BOR DKT. 00314726 (T.G.)

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

24. BOR DKT. 00315282 (B.L.)

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

25. BOR DKT. 00299020 (J.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.

26. BOR DKT. 00317748 (D.J.)

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

27. BOR DKT. 00318629 (D.J.)

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work, 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 in the C.A.R.E.S. Act and a liability to a non-fraud refund.

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28. BOR DKT. 00308843 (V.R.)

Claimant appealed the decision of the Appeal Tribunal disputing the monetary entitlement on a valid claim.

29. BOR DKT. 00318654 (J.Q.)

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

30. BOR DKT. 00279249 (A.S.)

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

31. BOR DKT. 00263663 (A.H.)

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

32. BOR DKT. 00290058 (V.P.)

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

33. BOR DKT. 00318801 (K.M.)

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

34. BOR DKT. 00276074 (J.P.)

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

35. BOR DKT. 00315745 (D.S.)

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

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36. BOR DKT. 00289067 (D.M.)

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

37. BOR DKT. 00350375 (S.A.S.)

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

38. BOR DKT. 00310577 (J.B.)

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

39. BOR DKT. 00287046 (N.H.)

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

40. BOR DKT. 00316454 (J.I.)

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

41. BOR DKT. 00317407 (M.N.)

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

42. BOR DKT. 00297121 (B.T.)

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

43. BOR DKT. 00318477 (R.V.)

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

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

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

1. BOR DKT. 00314667 (V.A.)

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant had no attachment to the labor market.

2. BOR DKT. 00256331 (P.Q.)

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a non-fraud refund.

3. BOR DKT. 00317890 (J.N.)

Claimant appealed the decision of the Appeal Tribunal disputing the monetary entitlement on a valid claim.

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

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

1. BOR DKT. 00316879 (F.C.)

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.

ACTION: BOARD VOTED TO ACCEPT THIS CASE AS AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW.

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A-6 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW

1. BOR DKT. 00316185 (M.P.)

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

2. BOR DKT. 00305101 (N.L.)

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

3. BOR DKT. 00316433 (R.M.)

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

4. BOR DKT. 00253590 (W.L.)

Claimant appealed a decision of the Appeal Tribunal holding the claim for Pandemic Unemployment Assistance (PUA) benefits was invalid due to no labor attachment, and claimant liable for a non-fraud refund.

5. BOR DKT. 00317897 (M.M.)

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of Pandemic Unemployment Assistance (PUA) benefits and a liability to a non-fraud refund.

6. BOR DKT. 00317898 (M.M.)

Claimant appealed the decision of the Appeal Tribunal holding an ineligibility of Pandemic Unemployment Assistance (PUA) benefits.

7. BOR DKT. 00269295 (R.L.)

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.

8. BOR DKT. 00231057 (M.O.)

Claimant appealed the decision of the Appeal Tribunal denying the request to reopen the matter due to an untimely request to reopen.

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9. BOR DKT. 00301665 (W.V.)

Deputy appealed the decision of the Appeal Tribunal which held the claimant eligible for a pre-date of his unemployment claim.

10. BOR DKT. 00317737 (W.B.)

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

11. BOR DKT. 00307507 (G.S.O.)

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 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW.