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DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT  
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ROBERT ASARO-ANGELO  
*Commissioner*

**BOARD OF REVIEW**

**MINUTES OF REGULAR MEETING OF  
THE BOARD OF REVIEW  
AUGUST 12, 2020**

**JOSEPH SIEBER, CHAIRMAN**

**NANCY HUNT, VICE-CHAIRPERSON**

**WILLIAM SCAGLIONE, MEMBER**

**SHARAHZAD A. LEDAN, ACTING EXECUTIVE SECRETARY**

**BOARD OF REVIEW MEETING AUGUST 12, 2020**

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**A regular meeting of the Board of Review was held on Wednesday, August 12, 2020 at 10:00 a.m., via conference call, in Trenton, New Jersey**

**PRESENT: Joseph Sieber, Chairman, Nancy Hunt, Vice-Chairperson, William Scaglione, Member, Sharahzad A. Ledan, Acting Executive Secretary, Keith Austin, Director.**

**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 – AUGUST 12, 2020 MEETING

### BOARD MINUTES:

Submitted for adoption are the minutes of the August 5, 2020 Board meeting.

**ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE AUGUST 5, 2020 BOARD MEETING.**

### SECTION A – HEARING MATTERS

#### A-1 WITHDRAWAL OF APPEALS

1. FRANK RUFFINO BOR DKT. 00210349

The claimant appealed a decision of the Appeal Tribunal holding him disqualified for benefits for leaving work voluntarily without good cause attributable to such 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. HERMERA BLANKS BOR DKT. 00208732

Claimant appealed a decision of the Appeal Tribunal holding claimant ineligible for not reporting in accordance with the regulations of the Division.

2. BOBBETTE WOODS BOR DKT. 00211284

There is no appeal letter for this docket. The letter of appeal that was in the file for this docket belonged to DKT00211824. As this appeal was filed in error, suggest vacate appeal.

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

## BOARD OF REVIEW MINUTES – AUGUST 12, 2020 MEETING

### A-3 DISMISSALS OF LATE APPEALS TO THE BOARD OF REVIEW

1. GEORGE BRIDGES BOR DKT. 00210743

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

2. SUYEB AHMED BOR DKT. 00211357

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work with employer #1 voluntarily and liability for a non-fraud refund.

3. KARIMAN ABDERLARSOUI BOR DKT. 00193585

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

4. DESMOND DOZIER BOR DKT. 00006359

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

5. TINA CARTER BOR DKT. 00204860

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

6. CHRISTINA SYLVIA BOR DKT. 00209910

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

7. STEPHANIE CARO BOR DKT. 00208154

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

## BOARD OF REVIEW MINUTES – AUGUST 12, 2020 MEETING

**8. TAMEEKIA HARDWICK** BOR DKT. 00210845

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

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

**A-4 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS**

**1. ALFREDA BANGURA** BOR DKT. 00199915

Claimant appealed a decision of the Appeal Tribunal holding the appeal was filed timely and holding a disqualification for discharge for misconduct connected to the work.

**2. ENRIQUE GUZMAN** BOR DKT. 00211514

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

**3. YENIS MERCEDES** BOR DKT. 00211494

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

**4. MAURA KOHLMANN** BOR DKT. 00210619

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

**5. CHRISTINE QUILTY** BOR DKT. 00204573

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

**6. LEROY GERMANY, JR.** BOR DKT. 00211089

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

## BOARD OF REVIEW MINUTES – AUGUST 12, 2020 MEETING

**7. CELESTE VENTURA** BOR DKT. 00208065

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

**8. KENNETH SLATTERY** BOR DKT. 00206199

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

**9. FELICIA FIORE** BOR DKT. 00211344

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

**10. KELLY TORRES** BOR DKT. 00211614

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

**11. ANTHONY GARCIA** BOR DKT. 00211404

Claimant appealed decision of the Appeal Tribunal holding no disqualification for leaving the work voluntarily and holding the claimant ineligible for benefits on the ground that the claimant is not unemployed.

**12. STEPHEN EFKOWITZ** BOR DKT. 00211718

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

**13. PATRICIA CHARLES** BOR DKT. 00187183

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

**14. KEITH PAKELA** BOR DKT. 00211701

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

## BOARD OF REVIEW MINUTES – AUGUST 12, 2020 MEETING

**15. SCOTT VAN BAULEN** BOR DKT. 00212206

Claimant appealed a decision of the Appeal Tribunal which held a reduction in his weekly benefit rate due to the receipt of a pension.

**16. KEVIN RAMIREZ** BOR DKT. 00205965

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.

**17. EARL WRIGHT** BOR DKT. 00211877

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

**18. ADRIANA ANDERSON** BOR DKT. 00211739

Claimant appealed decision of the Appeal Tribunal holding a disqualification for leaving the work voluntarily without good cause attributable to such work. **(Board voted to remove this case from the affirmation list and Remand for additional testimony regarding the hours of work with employer #2.)**

**19. IRIS SOTO** BOR DKT. 00211040

Claimant appealed a decision of the Appeal Tribunal holding a disqualification for discharge for misconduct connected to the work. **(Board voted to table this case to a future agenda to send correspondence to ask why the claimant failed to register for the Appeal Tribunal hearing).**

**20. LOUIS GIORDANO** BOR DKT. 00211740

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

**21. LEMEYRI CASTRO** BOR DKT. 00211667

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

**22. CRISTY POPA** BOR DKT. 00211850

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

## BOARD OF REVIEW MINUTES – AUGUST 12, 2020 MEETING

**23. JESSICA REULBACH**

BOR DKT. 00211230

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

**24. YOLANDA REGISTER**

BOR DKT. 00202356

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

**25. PATRICIA WOODS**

BOR DKT. 00211858

Employer appealed a decision of the Appeal Tribunal holding the claimant filed a timely appeal, no disqualification of benefits for leaving work voluntarily, and no liability for a non-fraud refund.

**26. LORRAINE MICEWICZ**

BOR DKT. 00211408

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

**27. MALCOLM SALLY**

BOR DKT. 00211574

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

**28. THOMAS BENNETT**

BOR DKT. 00211243

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

**29. YACELIN SARIT**

BOR DKT. 00209359

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

**30. JOAN MILLER**

BOR DKT. 00211371

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



## BOARD OF REVIEW MINUTES – AUGUST 12, 2020 MEETING

### 31. DAISY DIAZ

BOR DKT. 00211990

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

### 32. AMY PERSICO

BOR DKT. 00208646

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

### 33. CRYSTAL BILLINGSLEY

BOR DKT. 00211412

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

**ACTION: BOARD VOTED TO ACCEPT THE REMAINING 31 CASES AS AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS.**

### EXECUTIVE SESSION:

**1:40 THE BOARD VOTED TO GO INTO EXECUTIVE SESSION FOR LEGAL ADVICE. FRED BURG CASE.**

**1:43 BOARD VOTED TO LEAVE EXECUTIVE SESSION AND RESUME THE OPEN PUBLIC MEETING.**

### **A-5 REQUESTS FOR RECONSIDERATION FROM THE SUPERIOR COURT**

#### 1. FRED BURG

BOR DKT. 00184393

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms. **(The DAG's office requested we add this case to this agenda to discuss a potential remand to allow for further development of the facts in the record.)**

**ACTION: BOARD VOTED TO ALLOW THE ATTORNEY GENERALS OFFICE TO MAKE A MOTION FOR A REMAND.**

## BOARD OF REVIEW MINUTES – AUGUST 12, 2020 MEETING

### A-6 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. ELISA MENDEZ BOR DKT. 00203677

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

2. SHAWNEEQUA DOWDELL BOR DKT. 00211470

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

3. MARIE ALVARADO BOR DKT. 00208679

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

4. LILLI FRIEDMAN BOR DKT. 00207740

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

5. MAYLENI CASTRO BOR DKT. 00211258

Employer appealed a decision of the Appeal Tribunal holding no disqualification for leaving the work voluntarily without good cause attributable to such work and holding no disqualification for refusal of suitable work without good cause. **(Board voted to Remand to the Appeal Tribunal for additional testimony regarding the new information that was submitted by the employer).**

6. SHANTAE SMITH BOR DKT. 00208262

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

7. JEFFREY MORRIS BOR DKT. 00211708

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

## BOARD OF REVIEW MINUTES – AUGUST 12, 2020 MEETING

**8. LISA GILSON**

BOR DKT. 00211301

Employer appealed a decision of the Appeal Tribunal holding no disqualification for leaving the work voluntarily, no ineligibility for availability for work and no liability for non-fraud refund.

**9. STEPHANIE RISLEY**

BOR DKT. 00211117

Employer appealed a decision of the Appeal Tribunal holding the appeal of the Deputy's determination timely and holding no disqualification for discharge for misconduct connected to the work.

**10. GIOVANNI FEBRES-COLLAZO**

BOR DKT. 00206792

Claimant appealed a decision of the Appeal Tribunal holding no disqualification for discharge for misconduct connected to the work and holding a disqualification for leaving the work voluntarily without good cause attributable to such work.

**11. TRICA BEAGIN**

BOR DKT. 00199085

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

**12. DANISIA VALADEZ**

BOR DKT. 00211364

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

**13. MATTHEW GENOVESE**

BOR DKT. 00211198

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

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

## BOARD OF REVIEW MINUTES – AUGUST 12, 2020 MEETING

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

**B-1** DAKOTA THIBODEAU BOR DKT. 00211401

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

**ACTION: BOARD VOTED TO TABLE THIS CASE TO THE AUGUST 19, 2020 AGENDA FOR A MORE COMPLETE REVIEW ON THIS CASE ESPECIALLY THE CLAIMANT'S CONTENTION THAT HE DID NOT HAVE A FAIR HEARING.**

**B-2** BRIAN WALSH BOR DKT. 00211316

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

**ACTION: BOARD VOTED NOT TO REMAND THE CASE, BUT TO MODIFY THE APPEAL TRIBUNAL DECISION TO AN INVALID CLAIM.**

**B-3** YOMAYRA MORA BOR DKT. 00211406

Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause. (**Appellate Specialist Matos**)

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL AND HOLD THE APPEAL LATE WITHOUT GOOD CAUSE.**

**B-4** EKATERINA CHABALKO BOR DKT. 00211007

The claimant appealed a decision of the Appeal Tribunal holding a disqualification for discharge for misconduct connected to the work. (**Appellate Specialist Alverio**)

## BOARD OF REVIEW MINUTES – AUGUST 12, 2020 MEETING

**ACTION: BOARD VOTED TO REVERSE THE APPEAL TRIBUNAL DECISION AND HOLD THE CLAIMANT NOT DISQUALIFIED FOR MISCONDUCT CONNECTED TO THE WORK.**

**B-5 LAKITA BOONE**

BOR DKT. 00208049

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily. (**Appellate Specialist Jackson**)

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION HOLDING A VOLUNTARY QUIT DISQUALIFICATION**

**B-6 TAYLOR CURCIO**

BOR DKT. 00206147

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

**ACTION: BOARD VOTED TO AFFIRM THE APPEAL TRIBUNAL DECISION HOLDING A VOLUNTARY QUIT DISQUALIFICATION.**

**B-7 HEATHER HENDRICKS**

BOR DKT. 00174860

Claimant appealed a decision of the Appeal Tribunal holding that subsequent weeks and wages were sufficient to toll a prior disqualification as of September 22, 2019. (**Appellate Specialist Hart**)

**ACTION: BOARD VOTED TO REMAND TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY FROM THE CLAIMANT REGARDING HER EMPLOYMENT AND TO GET THE CLAIMANT TO SUBMIT HER 2018 TAX RETURN.**

## BOARD OF REVIEW MINUTES – AUGUST 12, 2020 MEETING

**B-8** DAYNA KEOUGH

BOR DKT. 00211426

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

**ACTION: BOARD VOTED TO TABLE THIS CASE TO A FUTURE AGENDA FOR FURTHER REVIEW.**