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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  
NOVEMBER 13, 2019**

**JOSEPH P. SIEBER, CHAIRPERSON**

**NANCY W. HUNT, VICE-CHAIRPERSON**

**BOARD OF REVIEW MEETING NOVEMBER 13, 2019**

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**A regular meeting of the Board of Review was held on Wednesday, November 13, 2019 at 10:00 a.m., in Trenton, New Jersey**

**PRESENT: Joseph Sieber, Chairman, Nancy Hunt, Vice-Chair and William Scaglione, 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 – NOVEMBER 13, 2019 MEETING

## SECTION A – HEARING MATTERS

### BOARD MINUTES:

Submitted for adoption are the minutes of the November 6, 2019 Board meeting.

**ACTION: THE BOARD VOTED TO ACCEPT THE MINUTES OF THE MEETING OF NOVEMBER 6, 2019.**

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

1. BRIANNA MARTINEZ BOR DKT. 00190515

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

2. ERIC SCHNELL BOR DKT. 00190374

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant did not have requalifying wages.

3. ANDREA GRAZIOSI BOR DKT. 00191317

Claimant appealed a decision of the Appeal Tribunal holding the claimant not unemployed.

4. NICOLE BENNETT DICKEY BOR DKT. 00190410

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

5. CHRISTINA BOYD BOR DKT. 00190883

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

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

## **BOARD OF REVIEW MINUTES – NOVEMBER 13, 2019 MEETING**

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

1. KEISHA D. RAY BOR DKT. 00190882

Claimant requests a reconsideration of the Board of Review's decision affirming the Appeal Tribunal decision which held a disqualification of benefits for leaving work voluntarily.

2. ALYSSA DORAN BOR DKT. 00181873

Claimant requests a reconsideration of the Board of Review's decision affirming the Appeal Tribunal decision which held a disqualification for benefits for leaving work voluntarily and dismissing the claimant's ability to work as academic.

3. GLORIA BATISTA MORA BOR DKT. 00182936

Claimant requests a reconsideration of the Board of Review decision affirming the Appeal Tribunal decision which holding the claimant ineligible for Additional Benefits During Training. **(This case was added as a supplemental for the Agenda of November 13, 2019).**

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

### **A-3 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS**

1. ROBERT BOTTI BOR DKT. 00191258

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

2. VERONICA PERALTA BOR DKT. 00189049

Employer is appealing the decision of the Appeal Tribunal holding no disqualification for voluntarily leaving the work and no disqualification for discharge from the work.

3. ANDREW KENNETT BOR DKT. 00187301

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

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- 4. DAVID SAPP** BOR DKT. 00191200

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

- 5. AUSTIN DEPOL** BOR DKT. 00175180

Claimant appealed a decision of the Appeal Tribunal the unemployment claim invalid.

- 6. FRANCIS MARINO** BOR DKT. 00191643

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

- 7. NICHOLAS GREEN** BOR DKT. 00191774

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

- 8. JADA FITZGERALD** BOR DKT. 00166082

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

- 9. MARGARET VACCHIANO** BOR DKT. 00180534

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

- 10. JOSEITO MATOS** BOR DKT. 00191427

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

- 11. JESSICA ANGUEIRO-RIVERA** BOR DKT. 00192448

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

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**12. SHANNA ARABIAN**

BOR DKT.00190358

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

**13. DONNA MONTONE**

BOR DKT. 00191627

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

**14. FREDY RAMOS**

BOR DKT.00187654

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

**15. MICHELE KOPITSKIE**

BOR DKT. 00190126

Employer appealed decision of the Appeal tribunal denying the request to reopen the matter.

**16. MARGARET WALKER**

BOR DKT. 00191912

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

**17. MONSURAT MUSTAPHA**

BOR DKT. 00190965

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

**18. VANESSA TAIPE**

BOR DKT. 00192282

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

**19. MAYA HOLMES**

BOR DKT. 00192272

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

**20. RIONDO RUSSELL**

BOR DKT. 00190578

Employer appealed a decision of the Appeal Tribunal holding no disqualification as the discharge was not for misconduct connected with the work.

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- 21. STEPHON MITCHELL** BOR DKT. 00190802

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

- 22. STEVEN PAGLIERANI** BOR DKT. 00190922

Claimant appealed decision of the Appeal Tribunal holding a disqualification for refusing an offer of suitable work without good cause.

- 23. DANIEL SALAMA** BOR DKT. 00187120

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

- 24. JOSE CRUZ** BOR DKT. 00192132

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

- 25. JOSE HUERFANO** BOR DKT. 00114046

Claimant appealed the appeal Tribunal decision holding the unemployment claim invalid due to lack of requalifying wages.

- 26. GABRIEL ARIAS OCAMPO** BOR DKT. 00188700

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

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

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

- 1. MUSLIMAH MCLENDON** BOR DKT. 00191026

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

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2. DONNA HARVEY

BOR DKT. 00187299

Claimant appealed decision of the Appeal Tribunal holding a period of ineligibility on the ground that the claimant had reasonable assurance of reemployment with an educational institution and holding the claimant disqualified for benefits on the ground that she left work voluntarily without good cause attributable to such work.

3. JACK ZOLTEK

BOR DKT. 00191429

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

4. BRITTNEY DREW

BOR DKT. 00190609

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

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

### A-6 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS

1. CAPRI NORTHERN

BOR DKT. 00192729

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

2. GARFIELD JONES

BOR DKT. 00190797

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

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



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### A-7 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY

1. EVERTON JOHNSON BOR DKT. 00191573

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

2. MICHAEL ARRIETA BOR DKT. 00189457

Claimant appealed a decision of the Appeal Tribunal dismissing the appeal of the Deputy's determination on the ground that the appeal was filed late without good cause.

3. MARIA RESTITUYO HENRIQUEZ BOR DKT. 00192306

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

4. DANIEL VILLONE BOR DKT. 00191909

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

5. CHRISTIAN YANNAZZONE BOR DKT. 00182392

Employer appealed a decision of the Appeal Tribunal holding a disqualification as the claimant did not leave work voluntarily without good cause attributable to such work.

6. ROY BREDT BOR DKT.00191299

Employer appealed the Appeal Tribunal decision holding that the claimant was not an independent contractor and holding the unemployment claim valid.

7. TAMMANIKA MYERS BOR DKT. 00192242

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

8. KAYLEE COLLINS BOR DKT. 00187272

Employer appealed the decision of the Appeal Tribunal holding no disqualification for leaving work voluntarily. **(This case was added as a supplemental to the Agenda of November 13, 2019).**

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

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

**B-1 JANNA SMITH**

**BOR DKT. 00191380**

Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits as the claimant had reasonable assurance of reemployment with an educational institution.

**ACTION: THE BOARD VOTED TO AFFIRM THE APPEAL  
TRIBUNAL DECISION HOLDING THE CLAIMANT  
INELIGIBLE FOR BENEFITS AS THE CLAIMANT HAD  
REASONABLE ASSURANCE OF REEMPLOYMENT  
WITH AN EDUCATIONAL INSTITUTION.**