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State of New Jersey
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
DECEMBER 14, 2022**

NANCY HUNT, CHAIRPERSON

WILLIAM SCAGLIONE, VICE-CHAIR

MARIA ZOLA, ACTING EXECUTIVE SECRETARY

BOARD OF REVIEW MEETING DECEMEBR 14, 2022

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A regular meeting of the Board of Review was held on Wednesday, DECEMBER 14, 2022 at 10:00 a.m., via conference call, in Trenton, New Jersey

PRESENT: Nancy Hunt, Chairperson, William Scaglione, 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 MEETING – DECEMBER 14, 2022 AGENDA

BOARD MINUTES:

Submitted for adoption are the minutes of the November 30, 2022, Board meeting.

ACTION: BOARD VOTED TO ADOPT THE MINUTES OF THE NOVEMBER 30, 2022, BOARD MEETING.

SECTION A – HEARING MATTERS:

A-1 WITHDRAWAL OF APPEALS

1. MARY CORT BOR DKT. 00267718

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS WITHDRAWAL OF APPEALS.

A-2 VACATED APPEALS BY THE BOARD OF REVIEW

1. KILAUNA REVAN BOR DKT. 00255608

Claimant's correspondence was processed as an appeal to a decision of the Appeal Tribunal holding the claimant eligible for Pandemic Unemployment Assistance (PUA) benefits and holding no refund liability.

2. MARIO JULCA BOR DKT. 00291878

Claimant appealed the decision of the Appeal Tribunal holding no disqualification of benefits for leaving work voluntarily and no liability for non-fraud refund.

3. MARCUS FERRARA BOR DKT. 00243768

Claimant's communication was processed as an appeal to a decision of the Appeal Tribunal holding a disqualification of benefits under leaving work voluntarily without good cause attributable to the work, an ineligibility for benefits under availability for work and a liability to a refund.

BOARD OF REVIEW MEETING – DECEMBER 14, 2022 AGENDA

4. JOSEPH KLOSOWSKI BOR DKT. 00234218

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits under leaving work voluntarily without good cause and an ineligibility for Pandemic Unemployment Assistance (PUA) benefits.

5. JENNIFER SOLT BOR DKT. 00291391

The claimant's letter was docketed in error an appeal to the Board of Review from a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund.

6. MARY BARBERO BOR DKT. 00249583

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

7. DAYNA BEVILACQUA RELSTAB BOR DKT. 00246340

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

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

A-3 DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO UNTIMELY FILING OR FOR NON-JUSTICIABLE APPEAL ISSUE

1. JEREMY BORTON BOR DKT. 00257708

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for Pandemic Extended Unemployment Compensation (PEUC) and a liability to a refund.

2. KRZYSZTOF M JAWORSKI BOR DKT. 00285906

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

3. YUVANTEE PARASRAM BOR DKT. 00221079

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

BOARD OF REVIEW MEETING – DECEMBER 14, 2022 AGENDA

4. KELLY WHITESIDE BOR DKT. 00296437
Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.
5. DANIEL CONNER BOR DKT. 0029455
Claimant appealed a decision of the Appeal Tribunal holding the claimant liable for a non-fraud refund.
6. AMARILIS DE OLIO BOR DKT. 00296686
Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.
7. STEPHEN OWUSU BOR DKT. 00258066
Claimant appealed a decision of the Appeal Tribunal dismissing appeal as late without good cause.
8. ANGELA ALLMOND BOR DKT. 0025676
Claimant appealed the decision of the Appeal Tribunal dismissing the appeal as late without good cause.
9. HONORIOI NUNEZ BOR DKT. 00298605
Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.
10. JOSHUA FLOWERMAN BOR DKT. 00284048
Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work, ability to work, and actively seeking work, and liable for a non-fraud refund.
11. EMILY SAITTA BOR DKT. 00284261
Claimant appealed a decision of the Appeal Tribunal dismissing the claimant's appeal as late without good cause.
12. THEODORA KOKUMA BOR DKT. 00280201

BOARD OF REVIEW MEETING – DECEMBER 14, 2022 AGENDA

- Claimant appealed a decision of the Appeal Tribunal holding the claimant ineligible for benefits under availability for work and active search for work, and liable for a non-fraud refund.
13. JANESSA MORGAN BOR DKT. 00262958
- Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of benefits under availability for work and liable for a non-fraud refund
14. REBECCA KAMARA BOR DKT. 00051927
- Claimant appealed a decision of the Appeal Tribunal which approved the claimant's request to withdraw an appeal.
15. LARRY MITCHELL BOR DKT. 00043256
- Claimant appealed a decision of the Appeal Tribunal dismissing the appeal as late without good cause.
16. CHARLES MARKELWITH BOR DKT. 00290795
- Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.
17. COLEEN HARKIN BOR DKT. 00290668
- Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for misconduct connected with the work.
18. JOSE CASTILLO SANLATE BOR DKT. 00247979
- Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause attributable to the work.
19. ROBERT FRIEDMAN BOR DKT. 00249654
- 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 an ineligibility for Pandemic Unemployment Assistance (PUA) benefits.

**ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS
DISMISSED APPEALS BY THE BOARD OF REVIEW DUE TO
UNTIMELY FILING OR NON-JUSTICIABLE APPEAL ISSUE.**

A-4 DENIAL OF REOPENING REQUESTS TO THE BOARD OF REVIEW

BOARD OF REVIEW MEETING – DECEMBER 14, 2022 AGENDA

1. RHONDA HUGHES BOR DKT. 00217800

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

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

A-5 AFFIRMATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. KURT LOCHLI BOR DKT. 00246627

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

2. MATTHEW DEISS BOR DKT. 00264717

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits under leaving work voluntarily without good cause attributable to the work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

3. GEORGANN HEALEY BOR DKT 00265999

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for refusal of suitable work and a liability to a refund.

4. AMBER GRAY BOR DKT. 00258631

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

5. NANA AMPONSAH BOR DKT. 00265280

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

6. EYAD ABOUAYAD BOR DKT. 00243482

BOARD OF REVIEW MEETING – DECEMBER 14, 2022 AGENDA

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified under the CARES Act, and a liability for a non-fraud refund.

7. GLENN EVERSON BOR DKT. 00254776

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of unemployment benefits for leaving work voluntarily without good cause attributable to the work, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

8. JAMES MILLER BOR DKT. 00274161

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.

9. KAREN PARKER BOR DKT. 00220990

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility under ability to work and a liability to a refund.

10. DANIEL CONNER BOR DKT. 00256918

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

11. MARTIN ANDREU-ALVAREZ BOR DKT. 00262174

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

12. MICHAEL GONNELLA BOR DKT. 00239169

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

13. PATRICIA OBRIEN BOR DKT. 00262130

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

14. KERRI JEWELL BOR DKT. 00267927

BOARD OF REVIEW MEETING – DECEMBER 14, 2022 AGENDA

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily without good cause and an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

15. PATTIE WREN BOR DKT. 00266660

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

16. BOLIVAR RUO BOR DKT. 00267690

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

17. SETH JOHNSON BOR DKT. 00249793

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, an ineligibility of Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of the COVID-19 related reasons identified under the CARES Act, and a liability for a non-fraud refund.

18. MERIGA SUGRI BOR DKT. 00256412

Claimant appealed a decision of the Appeal Tribunal holding a disqualification of benefits for leaving work with Employer #1 and Employer #2 voluntarily without good cause, and liable for a non-fraud refund.

19. LEON COLEY BOR DKT. 00260559

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

20. ROMUALDO FIORILLI BOR DKT. 00265838

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

21. MARIA GOMEZ BOR DKT. 00267148

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

BOARD OF REVIEW MEETING – DECEMBER 14, 2022 AGENDA

22. NICOLAS HANDLEY

BOR DKT. 00265314

Claimant appealed a decision of the Appeal Tribunal holding the claimant had reasonable assurance of reemployment between terms.

23. CHRIS HARO

BOR DKT. 00261875

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

24. SKYLAR MACKENZIE

BOR DKT. 00250433

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility for unemployment benefits due to insufficient base weeks and wages, an ineligibility for Pandemic Unemployment Assistance (PUA) benefits and a liability to a refund.

25. KENNA SANGTINETTE

BOR DKT. 00256746

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.

26. KIMBERLY THEN

BOR DKT. 00293871

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

27. CINDY DEFORGE

BOR DKT. 00217190

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

28. ASHLEY HUNTER

BOR DKT. 00253076

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 as the claimant's unemployment was not due to one of the COVID-19 related reasons, and a liability to a non-fraud refund.

29. JOSHUA KIRSTEIN

BOR DKT. 00225042

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

BOARD OF REVIEW MEETING – DECEMBER 14, 2022 AGENDA

30. JOSHUA KIRSTEIN BOR DKT. 00225031

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

31. RICHARD MENDEZ BOR DKT. 00297547

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

32. DANA RIZZI BOR DKT. 00273832

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.

33. SUSAN GREBE BOR DKT. 00262376

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

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

A-6 MODIFICATIONS OF APPEAL TRIBUNAL DECISIONS BY THE BOARD OF REVIEW

1. MARIANNE CHICOLA BOR DKT. 00260723

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

2. JOSHUA BARR BOR DKT. 00259857

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed, claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms and liability for non-fraud refund.

3. JOSHUA BARR BOR DKT. 00259859

BOARD OF REVIEW MEETING – DECEMBER 14, 2022 AGENDA

Claimant appealed the decision of the Appeal Tribunal holding the claimant not unemployed, claimant ineligible for benefits as the claimant had reasonable assurance of reemployment between terms and liability for non-fraud refund.

4. LILLIAN RICHARDSON BOR DKT. 00266476

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 to a refund.

5. CARIDALIZA HAMMON BOR DKT. 00267143

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

6. JOHN CUNHA BOR DKT. 00265576

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

7. AMANDA HASSELMAN BOR DKT. 00256510

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

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

A-7 AFFIRMED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL BY THE BOARD OF REVIEW

1. ANDREW CHAO BOR DKT. 00257433

Claimant appealed the decision of the Appeal Tribunal holding a disqualification of benefits for leaving work voluntarily, ineligible for Pandemic Unemployment Assistance (PUA) benefits as the claimant's unemployment was not due to one of

BOARD OF REVIEW MEETING – DECEMBER 14, 2022 AGENDA

the COVID-19 related reasons identified in the CARES Act and a liability to a non-fraud refund.

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

A-8 REOPENED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. KEITH WINKLER BOR DKT. 00223324

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 CASE AS REOPENED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL.

A-9 REMANDS TO THE APPEAL TRIBUNAL OR DEPUTY BY THE BOARD OF REVIEW

1. CHRISTOPHER HENRY BOR DKT. 00261330

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

2. SCOTT KEATS BOR DKT. 00297217

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

3. BIB ALI BOR DKT. 00246557

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

4. PAULA GUZMAN BOR DKT. 00260634

BOARD OF REVIEW MEETING – DECEMBER 14, 2022 AGENDA

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

5. COURTNEY KLEM BOR DKT. 00272206

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

6. MEIZHEN ZHANG BOR DKT. 00247515

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

7. JOSSELINE GUTIERREZ BOR DKT. 00241108

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

8. AKKEEM HARRISON BOR DKT. 00263328

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

9. MARK HARGESHEIMER BOR DKT. 00267340

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.

10. WIDELINE GEORGES BOR DKT. 00269224

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

11. JOHN KIPPY CASH BOR DKT. 00275423

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

12. LORRAINE MACFEETERS BOR DKT. 00264653

BOARD OF REVIEW MEETING – DECEMBER 14, 2022 AGENDA

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.

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

A-10 REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL

1. KEVIN WOHLTMAN BOR DKT. 00300544

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASE AS REVERSED AND REMANDED DECISIONS TO THE APPEAL TRIBUNAL.

A-11 REVERSED DECISIONS OF THE APPEAL TRIBUNAL

1. JOHN CANACE BOR DKT. 00255240

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

2. ERNEST WILSON BOR DKT. 00266051

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

3. SHAWN BARRON BOR DKT. 00262797

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

4. JOE SALERNO SR BOR DKT. 00267239

Claimant appealed a decision of the Appeal Tribunal holding an ineligibility of Pandemic Unemployment Assistance (PUA) benefits as he did not have labor market attachment in 2019.

BOARD OF REVIEW MEETING – DECEMBER 14, 2022 AGENDA

5. TAKARA KAPRAL BOR DKT. 00208144

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

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

A-12 REVERSE AND AFFIRM DECISIONS OF THE APPEAL TRIBUNAL OR DEPUTY

1. JOHN GARNER BOR DKT. 00254511

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

2. MARJORIT CRUZ CRUZ BOR DKT. 00268586

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

ACTION: BOARD VOTED TO ACCEPT THE ABOVE CASES AS REVERSE AND AFFIRM DECISIONS OF THE APPEAL TRIBUNAL OR DEPUTY.

SECTION B – MISCELLANEOUS MATTERS/CASES FOR DISCUSSION

- B-1 DENNIS DELGADO BOR DKT. 00266544

Claimant appealed the decision of the Appeal Tribunal holding the claimant ineligible for benefits for failure to meet reporting requirements in accordance with Division regulations. (Appellate Specialist Alverio)

ACTION: BOARD VOTED TO REMAND THIS CASE TO THE APPEAL TRIBUNAL FOR ADDITIONAL TESTIMONY FROM THE CLAIMANT AND DEPUTY, WHO DID NOT PARTICIPATE IN THE HEARING, AS TO WHETHER REPORTING INSTRUCTIONS WERE GIVEN TO THE CLAIMANT ONLINE OR BY MAIL FOR HIM TO CERTIFY HIS BENEFITS, FOR THE CLAIMANT TO PROVIDE AN EXPLANATION FOR HIS FAILURE TO CONTACT THE DIVISION SOONER, AND IF THE CLAIMANT FAILED TO REPORT FOR REASONS WHICH CONSTITUTE GOOD CAUSE UNDER THE DIVISION'S

REGULATIONS.