

State of New Jersey  
Department of Labor and Workforce Development  
Board of Review

## MEMORANDUM

**To:** Joseph Sieber, Chairman;  
Gerald Yarbrough, Vice Chairman;

**FROM:** Nancy Hunt, Executive Secretary  
Board of Review

**Subject:** Minutes of the January 20, 2016  
Board of Review Meeting

**Date:** January 21, 2016

THESE MINUTES HAVE NOT BEEN FORMALLY APPROVED AND ARE SUBJECT TO CHANGE OR MODIFICATION BY THE BOARD OF REVIEW AT ITS NEXT MEETING. NO DECISION OF THE BOARD OF REVIEW IS FINAL UNTIL IT HAS BEEN MAILED TO THE INTERESTED PARTIES.

1. **FORMAL OPENING:** A regular meeting of the Board of Review, Department of Labor was held on Wednesday, January 20, 2016, at 9:00 a.m. at the Board of Review offices, Labor Building, John Fitch Plaza, 7<sup>th</sup> Floor, Large Conference Room, Trenton, New Jersey. Notice of said meeting was posted in the Board of Review's office, filed with the Secretary of State, and published annually in *The Trenton Times* and *The Star Ledger*. **The next regular meeting of the Board of Review is scheduled for Wednesday, January 27, 2016, at 9:00 a.m.** at the Board of Review offices, Labor Building, John Fitch Plaza, 7<sup>th</sup> Floor, Large Conference Room, Trenton, New Jersey.

Roll Call: Present: Mr. Sieber, Chairman  
Mr. Yarbrough, Vice Chairman  
Ms. Futterman, Board Member  
Ms. Hunt, Executive Secretary

2. Following a motion by Mr. Yarbrough and seconded by Ms. Futterman, the minutes of the January 13, 2016 meeting were approved, with a correction to Dkt. No.: 00061895, pertinent part in bold: The Appeal Tribunal held the claimant **eligible** for additional benefits during training...the Board voted to reverse the Appeal Tribunal as the record **does support** a denial of additional benefits during training.

3. New Business

(a) Dkt. No.: 00059358

The issue presented to the Board by Appellate Specialist Gitter to decide if employer's behavior towards the claimant justified her leaving work. The Deputy held the claimant eligible for benefits under N.J.S.A. 43:21-5(c).

The Appeal Tribunal modified the determination, holding the claimant left work voluntarily without good cause under N.J.S.A. 43:21-5(a). After review of the record, the Board voted to reverse the Appeal Tribunal, noting that the record substantiated that the claimant had good cause to voluntarily leave the job. Mr. Gitter will prepare the decision.

(b) Dkt. No.: 00072872

This matter was tabled.

(c) Dkt. No.: 00060670

Chairman Sieber presented the issue to the Board to decide whether claimant's job caused stress that gave the claimant good cause to quit. The Deputy held the claimant disqualified for leaving work voluntarily without good cause attributable to the work under N.J.S.A. 43:21-5(a). The Appeal Tribunal reversed the Deputy, holding no disqualification. After review, the Board decided to reverse the Appeal Tribunal decision pending a review by Mr. Sieber, who will prepare the decision.

(d) Dkt. No.: 00062381

Appellate Specialist Hart presented to the Board to decide if the employer's conduct gave the claimant good cause to quit the job. The Appeal Tribunal affirmed the determination of the Deputy which held the claimant disqualified for benefits for leaving work voluntarily without good cause attributable to the work under N.J.S.A. 43:21-5(a). After review, the board voted to affirm the decision of the Appeal Tribunal. Ms. Hart will prepare the decision.

There being no further business to transact, a motion was made by Ms. Futterman to adjourn the meeting. Mr. Yarbrough seconded the motion.

SUBMITTED FOR APPROVAL:

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Nancy Hunt  
Executive Secretary

NH:ldv