

**Board of Review  
19 Staniford St., 4<sup>th</sup> Floor  
Boston, MA 02114  
Phone: 617-626-6400  
Fax: 617-727-5874**

**Paul T. Fitzgerald, Esq.  
Chairman  
Judith M. Neumann, Esq.  
Member  
Charlene A. Stawicki, Esq.  
Member**

**Issue ID: 0020 8489 51**

## **BOARD OF REVIEW DECISION**

### **Introduction and Procedural History of this Appeal**

The claimant appeals a decision by John Cronin, a review examiner of the Department of Unemployment Assistance (DUA), to deny the claimant benefits for the period from January 22, 2017 through March 11, 2017. We review, pursuant to our authority under G.L. c. 151A, § 41, and affirm.

On January 31, 2017, the agency initially determined that the claimant was not entitled to unemployment benefits, beginning January 22, 2017. The claimant appealed and attended the hearing. In a decision rendered on March 25, 2017, the review examiner modified the agency determination, concluding that the claimant was ineligible to receive benefits, pursuant to G.L. c. 151A, § 24(b), only for the period of time from January 22, 2017, through March 11, 2017. He concluded that as of March 12, 2017, the claimant was not disqualified, under G.L. c. 151A, § 24(b). The Board accepts the claimant's application for review.

### **Ruling of the Board**

After considering the recorded testimony and evidence from the hearing, the review examiner's decision, and the claimant's appeal, we conclude that the review examiner's findings of fact are supported by substantial and credible evidence in the record. We also conclude that the review examiner's legal analysis and conclusions are free from any error of law affecting substantive rights. The review examiner's application of the law to the claimant's circumstances are in accord with settled agency practices, including the requirement that a claimant generally make three separate work search contacts per week.

We issue this decision to inform the claimant that his application for training benefits, which was entered into the record as Exhibit # 20, has been forwarded by the Board to the appropriate department in the DUA for further review. It is unclear to the Board why the application has not been acted upon yet; however, it should be reviewed in the near future. If the claimant has questions about the process for applying for training benefits, he may contact the Section 30 Department directly at (617) 626-5375.

The review examiner's decision is affirmed. The claimant is denied benefits for the period from January 22, 2017 through March 11, 2017. He is eligible to receive benefits beginning March 12, 2017, if otherwise eligible. In the event that the claimant is approved, pursuant to G.L. c. 151A, § 30(c), the DUA must revisit this issue (and any other issues determined under G.L. c. 151A, § 24(b)).

**BOSTON, MASSACHUSETTS**  
**DATE OF DECISION - April 14, 2017**



Paul T. Fitzgerald, Esq.  
Chairman



Judith M. Neumann, Esq.  
Member

Member Charlene A. Stawicki, Esq. did not participate in this decision.

**ANY FURTHER APPEAL WOULD BE TO A MASSACHUSETTS STATE DISTRICT  
COURT OR TO THE BOSTON MUNICIPAL COURT  
(See Section 42, Chapter 151A, General Laws, Enclosed)**

The last day to appeal this decision to a Massachusetts District Court is thirty days from the mail date on the first page of this decision. If that thirtieth day falls on a Saturday, Sunday, or legal holiday, the last day to appeal this decision is the business day next following the thirtieth day.

To locate the nearest Massachusetts District Court, see:  
[www.mass.gov/courts/court-info/courthouses](http://www.mass.gov/courts/court-info/courthouses)

Please be advised that fees for services rendered by an attorney or agent to a claimant in connection with an appeal to the Board of Review are not payable unless submitted to the Board of Review for approval, under G.L. c. 151A, § 37.

SF/rh