

**Board of Review
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Member
Michael J. Albano
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Issue ID: 0024 9164 11

BOARD OF REVIEW DECISION

Introduction and Procedural History of this Appeal

The claimant appeals a decision by a review examiner of the Department of Unemployment Assistance (DUA) to deny the claimant benefits following her separation from employment on March 8, 2018. We review pursuant to our authority under G.L. c. 151A, § 41, and affirm.

On March 28, 2018, the agency initially determined that the claimant was not entitled to unemployment benefits. The claimant appealed, and both parties attended the hearing. A decision was issued on June 22, 2018. However, the decision contained an administrative error when it was issued by the Hearings Department, and the case was remanded to the original review examiner to issue a corrected decision with new appeal rights. On July 17, 2018, the Hearings Department issued a corrected decision in which the review examiner affirmed the agency determination, concluding that the claimant voluntarily left employment without good cause attributable to the employer, or urgent, compelling, and necessitous reasons, and thus, was disqualified under G.L. c. 151A, § 25(e)(1). The Board accepted 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 decision is based on substantial evidence and is free from any error of law affecting substantive rights.

The review examiner's decision is affirmed. The claimant is denied benefits for the period beginning March 8, 2018, until such time as she has had at least eight weeks of work and has earned an amount equivalent to, or in excess of, eight times her weekly benefit amount.

BOSTON, MASSACHUSETTS
DATE OF DECISION - October 30, 2018



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**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

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.

SPE/rh