

**Board of Review
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**Paul T. Fitzgerald, Esq.
Chairman
Charlene A. Stawicki, Esq.
Member
Michael J. Albano
Member**

Issue ID: 0033 5703 51

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 beginning on January 19, 2020. We review, pursuant to our authority under G.L. c. 151A, § 41, and affirm.

On January 27, 2020, the agency determined that the claimant was not entitled to unemployment benefits. The claimant appealed and participated in the hearing. In a decision rendered on February 26, 2020, the review examiner affirmed the agency determination, concluding that the claimant did not have good cause for his failure to complete the RESEA review by the January 24, 2020, deadline and, thus, was disqualified under G.L. c. 151A, § 25(a), as of January 19, 2020. 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. However, in light of the current COVID-19 state of emergency, which has caused the temporary suspension of all in-person services (*e.g.*, RESEA events) at the MassHire Career Centers as of March 16, 2020, we find that the claimant had good cause for not completing the RESEA review as of the week beginning March 15, 2020. *See* 430 CMR 22.05. Consequently, we are implementing an end date of March 14, 2020, to the claimant's period of disqualification.

The review examiner's decision is affirmed. The claimant is denied benefits between the weeks ending January 25, 2020, and March 14, 2020. The claimant is entitled to benefits as of the week beginning March 15, 2020.



Paul T.

BOSTON, MASSACHUSETTS

Fitzgerald, Esq.

DATE OF DECISION - March 27, 2020

Chairman



Michael J. Albano
Member

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

**ANY FURTHER APPEAL WOULD BE TO A MASSACHUSETTS
STATE DISTRICT 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.

SVL/rh