

**Board of Review
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Member
Michael J. Albano
Member**

Issue ID: 0044 8495 31

Introduction and Procedural History of this Appeal

The employer appeals a decision by a review examiner of the Department of Unemployment Assistance (DUA) to award the claimant partial unemployment benefits for the week beginning April 5, 2020. We review, pursuant to our authority under G.L. c. 151A, § 41, and affirm.

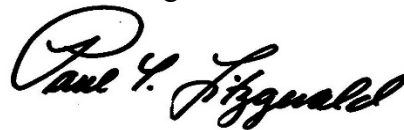
On June 22, 2020, the agency initially determined that the claimant was entitled to partial unemployment benefits. The employer appealed and only the employer attended the hearing. In a decision rendered on February 24, 2021, the review examiner affirmed the agency determination in part, concluding that the claimant was in partial unemployment for the week beginning April 5, 2020, and therefore entitled to partial benefits under G.L. c. 151A, §§ 29(b) and 1(r)(1). The Board accepts the employer'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 employer'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 employer will not be charged for any benefits paid under this claim to the claimant, in accordance with G.L. c. 151A, § 14(d)(3).

The review examiner's decision is affirmed. The claimant is entitled to receive benefits for the week beginning April 5, 2020, and for subsequent weeks if otherwise eligible.



Paul T. Fitzgerald, Esq.
Chairman

BOSTON, MASSACHUSETTS
DATE OF DECISION - March 17, 2021



Michael J. Albano
Member

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

If this decision disqualifies the claimant from receiving regular unemployment benefits, the claimant may be eligible to apply for Pandemic Unemployment Benefits (PUA). The claimant may contact the PUA call center at (877) 626-6800 and ask to speak to a Tier 2 PUA Supervisor.

**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.

JMO/rh