

**Board of Review
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Charlene A. Stawicki, Esq.
Member
Michael J. Albano
Member**

Issue ID: 0065 3495 54

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. We review, pursuant to our authority under G.L. c. 151A, § 41, and affirm.

On May 18, 2021, the agency determined that the claimant was not entitled to unemployment benefits between March 15, 2020, and April 25, 2020. The claimant appealed, and only the claimant participated in the hearing. In a decision rendered on September 23, 2021, the review examiner affirmed the agency determination to deny benefits but modified the dates to the period between April 12, 2020, and May 9, 2020, concluding that the payment the claimant received upon separating from the employer constituted remuneration and was disqualifying pursuant to G.L. c. 151A, §§ 29(a), 29(b), and 1(r).

The Board accepted the claimant's application for review and provided the parties with an opportunity to submit written reasons for agreeing or disagreeing with the review examiner's decision. Neither party responded.

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 of April 12, 2020, through May 9, 2020.

BOSTON, MASSACHUSETTS
DATE OF DECISION - December 23, 2021



Paul T. Fitzgerald, Esq.
Chairman



Charlene A. Stawicki, Esq.
Member

Member Michael J. Albano 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