

**Board of Review
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Issue ID: 0071 9410 37

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

On August 26, 2021, the agency initially determined that the claimant was not entitled to unemployment benefits in Massachusetts. The claimant appealed and attended the hearing. In a decision rendered on June 4, 2022, the review examiner affirmed the agency determination, concluding that the claimant was not entitled to benefits in Massachusetts because she already had an open claim for benefits in California and, thus, was disqualified under G.L. c. 151A, § 26. 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, the Board further takes note of the DUA's UI Online electronic database as well as advice from the agency that the claimant does not have an open claim in California or Maine that impacts her claim for benefits in Massachusetts, effective July 5, 2020.

Consequently, the review examiner's decision is reversed. The claimant is entitled to receive unemployment benefits from Massachusetts for the week ending July 11, 2020, and for subsequent weeks if otherwise eligible.

BOSTON, MASSACHUSETTS
DATE OF DECISION - August 18, 2022



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.

JPCA/rh