

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

Issue ID: 0083 1968 34

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 August 11, 2024. We review, pursuant to our authority under G.L. c. 151A, § 41, and we affirm in part and reverse in part.

On July 15, 2024, the agency initially determined that the claimant was not entitled to unemployment benefits. The claimant appealed, and only the claimant attended the hearing. In a decision rendered on August 15, 2024, the review examiner modified the agency determination, concluding that the claimant had good cause for failing to complete his RESEA review through August 10, 2024, but did not show good cause thereafter and, thus, was disqualified under G.L. c. 151A, § 25(a), as of the week beginning August 11, 2024. 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, on appeal, the claimant stated that he completed his RESEA review on August 16, 2024. A review of the most updated information in the Department of Career Services' Massachusetts One Stop Employment System (MOSES) confirms that the claimant completed his RESEA review on August 16, 2024. Having thus completed his RESEA obligations, we have placed an end date on the disqualification at the end of that week, August 17, 2024.

The review examiner's decision is affirmed in part and reversed in part. The claimant is denied benefits for the week beginning August 11, 2024. The claimant is entitled to receive benefits for the week beginning August 18, 2024, and for subsequent weeks if otherwise eligible.

BOSTON, MASSACHUSETTS
DATE OF DECISION - October 30, 2024



Paul T. Fitzgerald, Esq.
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.

BGM/rh