

Board of Review
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Issue ID: 334-FHJ2-R4PR

Introduction and Procedural History of this Appeal

The employer appeals a decision by a review examiner of the Department of Unemployment Assistance (DUA) concluding that the claimant was entitled to partial unemployment benefits. We review, pursuant to our authority under G.L. c. 151A, § 41, and affirm.

On April 25, 2025, the agency initially determined that the claimant was entitled to partial unemployment benefits. The employer appealed, and both parties attended the hearing. In a decision rendered on June 18, 2025, the review examiner determined that the claimant is in partial unemployment pursuant to G.L. c. 151A, § 29 and 1(r), and is entitled to partial benefits as of the period beginning December 8, 2024.

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.

We further note that the instant employer is not one of the claimant's base period employers. Thus, the wages paid by this employer were not used in calculating her weekly benefit amount, and this employer is not being charged under her 2024-01 claim for benefits.

The review examiner's decision is affirmed. The claimant is entitled to partial benefits for the period beginning December 8, 2024, and for subsequent weeks, if she is otherwise eligible.

BOSTON, MASSACHUSETTS
DATE OF DECISION - July 31, 2025



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.

PGS/rh