

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

**Issue ID: 352-MLN5-V3VF**

### 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 for the week ending September 14, 2024. We review, pursuant to our authority under G.L. c. 151A, § 41, and affirm.

On June 3, 2025, the agency initially determined that the claimant was not entitled to unemployment benefit for that week. The claimant appealed and attended the hearing. In a decision rendered on July 1, 2025, the review examiner affirmed the agency's determination, concluding that the claimant was not available for full-time work and was not actively seeking work and, thus, she was disqualified under G.L. c. 151A, § 24(b). 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.

In doing so, we note that the review examiner made errors with dates in the findings of fact. Based on the entire record, it is clear that Findings of Fact ## 1, 2, and 3 refer to September 14, 2024, rather than September 14, 2025, which has yet to occur.

This minor typographical error does not affect the ultimate conclusion in this case. The review examiner credited the claimant's overall testimony that he was out of the country and unavailable to work for the benefit week ending September 14, 2024.

The review examiner's decision is affirmed. The claimant is denied benefits for the week ending September 14, 2024. The claimant is entitled to receive benefits for the week beginning September 15, 2024, and for subsequent weeks if otherwise eligible.

**BOSTON, MASSACHUSETTS**  
**DATE OF DECISION - August 29, 2025**



Charlene A. Stawicki, Esq.  
Member



Michael J. Albano  
Member

Chairman Paul T. Fitzgerald, 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](http://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.

MM/rh