

Board of Review
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Issue ID: 352-MM32-JKK9

Introduction and Procedural History of this Appeal

The employer appeals a decision by a review examiner of the Department of Unemployment Assistance (DUA) to award the claimant benefits following her separation from employment on January 20, 2025. We review, pursuant to our authority under G.L. c. 151A, § 41, and affirm.

On June 9, 2025, the agency initially determined that the claimant was not entitled to unemployment benefits. The claimant appealed and attended the hearing. The employer did not attend. In a decision rendered on August 16, 2025, the review examiner reversed the agency determination, concluding that the claimant involuntarily left employment for urgent, compelling, and necessitous reasons and, thus, was not disqualified under G.L. c. 151A, § 25 (e)(1). The Board accepted the employer'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 employer's appeal, we conclude that the review examiner's decision to award benefits is supported by substantial evidence. However, we do so on different grounds.

Because the review examiner concluded that the claimant separated from her employment due to a domestic violence incident, the claimant is eligible for benefits pursuant to G.L. c. 151A, § 25(e), paragraph eight, subsection (3).¹

The review examiner's decision is affirmed. The claimant is entitled to receive benefits for the week beginning January 19, 2025, and for subsequent weeks, if otherwise eligible.

In addition, the DUA's online record-keeping database indicates that the employer has been relieved of benefit charges related to the claim and has not been charged for the claimant's benefits at any time. As of October 2025, the claimant's benefit payments have been issued through the DUA's solvency account, in accordance with G.L. c. 151A, § 14(d)(3).

¹ G.L. c. 151A, § 25(e), paragraph eight, states, in relevant part:

An individual shall not be disqualified from receiving benefits under this clause if the individual establishes to the satisfaction of the commissioner that the reason for the individual's leaving work was due to domestic violence, including: . . . (3) the individual's need to address the physical, psychological and legal effects of domestic violence

BOSTON, MASSACHUSETTS
DATE OF DECISION - October 20, 2025



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**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.

JMO/rh