

**Board of Review
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Member
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Issue ID: 334-FHJL-8V52

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 partial unemployment benefits for the period between December 1, 2024, and March 2, 2025. We review, pursuant to our authority under G.L. c. 151A, § 41, and affirm.

On March 26, 2025, the agency initially determined that the claimant was entitled to partial unemployment benefits for the weeks between December 8, 2024, and January 12, 2025, and the weeks between January 26, 2025, and March 2, 2025. The employer appealed, and both parties attended the hearing. In a decision rendered on May 30, 2025, the review examiner modified the agency determination, concluding that the claimant was in partial unemployment during each of the weeks between December 1, 2024, and March 2, 2025, and, thus, was entitled to partial benefits during that thirteen-week period under G.L. c. 151A, G.L. c. 151A, §§ 29 and 1(r).

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, because the instant employer is not a base period employer, the wages paid by this employer are not used in calculating the claimant's weekly benefit amount and this employer is not being charged under his 2024-01 claim for benefits.

The review examiner's decision is affirmed. The claimant is entitled to receive partial benefits during the period between December 1, 2024, and March 2, 2025, if otherwise eligible.

BOSTON, MASSACHUSETTS
DATE OF DECISION - September 30, 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.

LSW/rh