

Board of Review
100 Cambridge Street, Suite 400
Boston, MA 02114
Phone: 617-626-6400
Fax: 617-727-5874

Charlene A. Stawicki, Esq.
Member
Michael J. Albano
Member

Issue ID: 352-N3JT-J7JL

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 unemployment benefits following her separation from employment on June 2, 2025. We review pursuant to our authority under G.L. c. 151A, § 41, and affirm.

On September 9, 2025, the agency initially determined that the claimant was not entitled to benefits. The claimant appealed, and both parties attended the hearing. In a decision rendered on January 9, 2026, the review examiner affirmed the agency determination, concluding that the claimant engaged in deliberate misconduct in wilful disregard of the employer's interest and, thus, was disqualified under G.L. c. 151A, § 25(e)(2). 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. We also believe the review examiner's credibility assessment is reasonable in relation to the evidence presented.

However, the Board acknowledges that the review examiner appears to have committed a scrivener's error in a part of his decision. In the conclusion and reasoning section, the sentence "[t]he claimant is not subject to disqualification and is allowed benefits" appears above the disposition of the case, which was to affirm the agency's initial decision and disqualify the claimant from receiving benefits. Because the review examiner's findings and ensuing analysis are consistent with a determination that the claimant is disqualified from receiving benefits, this error does not affect the review's examiner's decision.

The review examiner's decision is affirmed. The claimant is denied benefits for the week beginning June 1, 2025, and for subsequent weeks, until such time as she has had at least eight weeks of work and has earned an amount equivalent to or in excess of eight times her weekly benefit amount.

BOSTON, MASSACHUSETTS
DATE OF DECISION - February 20, 2026



Charlene A. Stawicki, Esq.
Member



Michael J. Albano
Member

**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