NEW YORK STATE OF OPPORTUNITY. | Unemployment Insurance Appeal Board

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Board Meeting
Draft Minutes

Date: Wednesday, October 15, 2025

Location: Menands, NY

Present: Geraldine A. Reilly, Chair

Randall T. Douglas, Member

Kimberly Jean-Pierre, Member

Marilyn P. O'Mara, Member

June F. O'Neill, Member (via videoconference from Ogdensburg, NY)

Tracie Covey, Chief Administrative Law Judge

Janet Beaudoin, UIAB Manager

Catherine Adlerman, Acting Principal Administrative Law Judge

Agenda:

1. Welcome
2. Call to Order
3. Roll Call
4. Reading and adoption of agenda
5. Reading and adoption of minutes – July 16, 2025, meeting
6. Executive Director's Report (UIAB Manager on behalf of the Executive Director)
7. Chief Administrative Law Judge's report
8. Acting Principal ALJ for Appeals' Report
9. Other
10. Adjourn

DRAFT

1. Welcome

- Board Chair Geraldine Reilly began her remarks by welcoming all attending and those watching remotely to this meeting of the New York State Unemployment Insurance Appeal Board, which was the last meeting of 2025. She added that she was located at the Board's headquarters in Menands, New York.

- Chair Reilly thanked all those attending and watching the meeting for their interest in the operations and management of the UIAB. She added that the UIAB is an adjudicative body with jurisdiction over disputes regarding eligibility and payments concerning New York State Unemployment Insurance. She thanked everyone for their continuing interest in this consequential work.

- The meeting was noticed, the draft agenda was published, the minutes from the previous meeting, July 16, 2025, were circulated to the members, and the public was invited to observe in real-time. This meeting was recorded and will be made available, along with the minutes, on the UIAB website, https://uiappeals.ny.gov.

- Chair Reilly expressed her gratitude to all of those who have supported the work of the Board in addressing the many challenges they have faced.

- Chair Reilly thanked the staff and leadership in the 8 UIAB offices, and she thanked her colleagues on the Board for their work, encouragement, and support.

- Board Chair Reilly acknowledged the myriad technological innovations which this year has brought. The UIAB has accomplished through the expertise and innovations of its leadership team, a workplace that is a better and more efficient one, ensuring a continuing excellent product in a customer friendly environment.

- She continued by saying that you will hear more about these exciting projects during the executive presentations but be assured that 2025 continues to be a year of technological advancement—which will change many aspects of how work is done at the UIAB, all in the interest of serving customers and employees in a smarter and better way. Virtual Hearings, electronic case files, an improved customer communication system, UISIM and other innovations have been accomplished or are on the horizon.

- Chair Reilly added that she hopes that this consistent schedule of Board meetings presents a Board that is proactive and accessible; a Board which aggressively addresses 21st-century challenges; and that the UIAB addresses those tasks with optimism and confidence in the skill and effort of its many talented employees.

- Chair Reilly went on to say that each Board Member and each staff member is serious, interested, industrious and engaged in their approach to the important work done at the UIAB. She sincerely thanked them for that.

- Reilly also wanted to acknowledge and thank Chief Administrative Law Judge Tracie Covey, who is based in Syracuse, but attended this meeting in Menands; and has worked tirelessly to advance the Board and its Mission. She assumed this role in a time of pandemic crisis and has led the Board judiciously, with empathy, wisdom, and compassion, and so well ever since.

- Chair Reilly acknowledged with gratitude Leigh Brown, who is unfortunately not with us today in Menands. In her place, her remarks will be read by our UIAB Manager Janet Beaudoin. Janet is a beacon here for demonstrating leadership, fairness and innovation, qualities which we highly value; thank you as does Leigh.

- And for this meeting, our report on High Authority Appeals will be presented by Acting Principal Appeal ALJ Catherine Adlerman. Senior ALJ Adlerman has been with the Board for many years and is widely viewed as a reasoned and valued voice in the adjudication of Higher Authority Appeals. I greatly appreciate your expertise, and your willingness to share your knowledge with the Board. Thank you, Cat.

- Reilly continued by thanking Alexandra Joa-Gilbert for taking minutes, and the talented UIAB BSA team, Amy Higby, Nastassia Tripp, and Gerrad Bohl, who assisted with technology for this meeting. There will be a short training session after our meeting today providing information on our much-anticipated UISIM modernization project.

- Chair Reilly took a moment before she called the meeting to order to remind members, staff, and the public that the next public meeting of the Board will be held on Wednesday, January 14, 2026.

2. **Call to Order:** The meeting was called to order at 11:05 AM

3. **Roll Call**

   - Attendance was taken by UIAB Manager Janet Beaudoin. A quorum was present.

4. **Reading and adoption of the agenda**

   - Member Marilyn O'Mara moved to accept the agenda.

   - Member Randall Douglas seconded the motion.

   - Motion to accept agenda adopted unanimously.

5. **Reading and Adoption of the minutes from the July 16, 2025, Board Meeting**

   - Member Douglas moved to waive the reading and to adopt the minutes.

   - Member O'Mara seconded the motion.

   - Motion to suspend reading and adoption of the minutes was unanimously approved.

6. **Executive Director Report – Leighann Brown (UIAB Manager- Janet Beaudoin on behalf of Leigh Brown)**

Introduction:

- Manager Beaudoin began by wishing everyone a good morning.
- Staffing on the administrative team has been stable. We have not had any new retirements in this quarter. We promoted Christianne Shrader (Menands) from a Senior Employment Security Clerk to a Labor Services Representative (LSR). As Board Members you may have already worked

with Christianne. She was fantastic on the hearing admin team and has been a great addition to the appeals' admin team. We welcomed back Yuli Quintero, LSR, in Garden City, and are happy to have her back. I'll leave the judicial team updates for Tracie.

- Jumping into technology and modernization, on September 22nd we launched JIRA, which is an internal employee technical support ticketing system to track/organize issues and collect longitudinal data to improve work, personnel development, and identify potential systemic issues. ITS worked closely with Gerrad Bohl (BSA2, Menands) and me throughout the procurement and they were instrumental assisting us with this procurement. Now that it is complete, all appropriate ticketing and support information will be housed in our new UIAB SharePoint site, and the ticketing system will replace the BSA shared mailbox.

- The Unemployment Insurance System Improvement Modernization (UISIM) Project continues its progress. A number of admin and judges are committed to and actively engaged in the UISIM Project User Acceptance Testing (UAT) and preparing end user training guides. UAT is application testing. Samantha Clute (BSA1, Menands) is leading UISIM UAT and Gerrad is leading end user training with support from Sam and the UISIM team. Our admin and judges who are creating our training program will then train Board Members and staff before go-live. Creating training is complicated and time-consuming. Tentative staff training is planned for the last week in January and the first week in February. The Board Member training has not yet been tentatively scheduled. The go-live date has not been officially announced.
- The BSA Team did a great job working with a few admin, judges, and ITS to test the Windows 11 Upgrade and upgrade the Boards' laptops statewide. The biggest hurdle was memory/space on laptops and ensuring that everyone had enough memory/space for the upgrade, requiring almost all the Board laptops to be replaced. We do not have a specific timeline for all laptop distribution at this time.
- The last thing I will share about the BSA Team is that they have been recognized on a monthly basis throughout 2025 by ITS for having the highest Quality Assurance score for our website! ITS's original goal was to move all state agencies and Boards above 90. I'd like to thank and congratulate our team on the remarkable quality of work they continue to do which directly impacts the quality of customer service our customers receive through the information on our website.
- As you know, the UIAB is always looking for ways to increase output, improve customer service and support streamlined processes for personnel. Earlier this year, we awarded a contract to a vendor to conduct an on-site evaluation of the technology systems, processes, and workflows between the New York State Department of Labor's Adjudication Services Office and the UIAB. The work was completed from September 2nd through 12th. The goal was to identify inefficiencies, slow processing times, and missing or incomplete functionality that hinder the effective processing of unemployment claim appeals between the two units. Their evaluation validated the efficiency of several initiatives we had already begun, including the centralization of administrative functions, issuance of new laptops to all staff, and increased judicial staffing. They also suggested ways we could leverage judicial calendars to increase hearing throughput which we have begun to implement.

- This year we have continued to report on technology and on our efforts to focus on customer service to all customers and to our employees. I am proud of this focus to enhance how customers access services, our support, and benefits. Each of our employees has a role which connects them to our customers and each action they take contributes to the bigger picture. We will continue to listen to what people need and to respond with purpose to deliver meaningful outcomes. Thank you all. Manager Beaudoin thanked all present and concluded her report.
- Chair Reilly asked if there were any questions regarding the report, and pointed out that each of our employees has a role which connects them to our customers and she has seen that so consistently through the work of our team. It just does bear repeating and I would like to thank Janet for being with us toady because her work has really contributed so much over the many years.
- Member Douglas moved to accept the report into the record. Member Jean-Pierre seconded. The report was unanimously accepted and incorporated into the record.

7. Chief Administrative Law Judge's Report - Tracie Covey

Introduction:

- CALJ Covey began her report announcing a couple retirements and promotions we have had on the judicial side. First, as you all know, Principal ALJ Christopher Tate is in the process of retiring from state service. His last day in the office was in mid-September after 29 years with the Board. His contributions to the important work we do has been substantial. We had a fun send-off for him a few weeks ago and already miss him very much. But, I am happy to announce that we have named Catherine Adlerman as Acting Principal ALJ for the higher authority and will formally post the position in a couple weeks. She has already transitioned smoothly into the role and will be giving the report on recent 3rd Department cases after my report today.

- Senior ALJ Herbert Fowler in our Syracuse office also retired in September after 30 years of state service. He also contributed greatly to the Board's successes. He was always willing to volunteer for special projects, to pick up additional cases when needed, and to bring a smile to his co-workers with his witty sense of humor. We wish him all the best as he enters this new chapter. Based on this and other retirements earlier in the year, we promoted two ALJs to Senior ALJ positions: Shannon Pozzuolo at the higher authority and Sarah Bierley at the lower authority. Both Sarah and Shannon have prior supervisory experience and have shown strong understanding of the law and our procedures in their time with the Board so far. We are excited to work with them in their new roles.

- In the next year, we will continue to focus on the recruitment and hiring of 2 additional classes of up to 15 ALJs apiece. We anticipate our next recruitment will be posted in January for a start date in April 2026 and are hopeful that we can hire enough judges to stay ahead of the anticipated attrition of our more senior judicial personnel.

- Our 2025 new hire classes continue to progress and gain valuable experience. The March class has been on full calendar since mid-July and will be completing their third quarter training shortly. Our July class finished their initial 7-week training with flying colors, will be receiving second quarter training in a couple of weeks, and are currently holding 3 hearings per day. Both classes have fit in well with our existing staff and are doing a wonderful job.

- We also continue to add programs to our on-demand CLE library. We have been steadily adding about one class per month and now have a total of 9 available, with another handful still in development. The most recent course discusses eligibility requirements for foreign nationals to receive unemployment insurance benefits. Our goal is to continue to upload one course per month, depending on our workload and other priorities. We will also be training our newer judges on status and contributions cases at the end of this month. The training will be recorded and added to our CLE library once it is complete.

- Turning to computer modernization and the important role some of our judicial staff is playing, we have 4 or 5 judges who continue testing the system. Our testers, who are comprised of administrative staff, business systems analysts, and judges, continue to log defects, test the system and work in the testing/training environment to assure optimal function upon rollout. Gerrad Bohl, BSA 2, is leading the training team who continues to make progress on the creation of discrete user guides for the training which is anticipated to occur within the first quarter of 2026. The team also continues to meet with various users to prepare for the implementation of the new system while attempting to minimize disruption to our customers.

- Switching gears from personnel to our quality numbers, our Federal Quality Review scores remain remarkably high. For the second quarter of 2025, 20 audits were completed. No critical errors were found, and we had an average score of 99.67%. All these cases achieved the U.S. Department of Labor's passing grade of 85% or better, and 17 of the 20 hearings had perfect scores of 100. We are currently conducting FQR audits for the 3rd Quarter of 2025, which I will report on at our next meeting.

- While our quality remains high, we continue struggling to meet USDOL acceptable level of performance markers at the lower authority. Validated data shows that the average case age at the lower authority for August 2025 was 62.31 days, a decrease of about 1.5 days from my last report. This morning received the numbers for September and the case age has reduced to 59.84%. so we are trending in the right direction.However, it is still above the acceptable 30-day average. As I have previously reported, we have been receiving high intake of cases from the Department of Labor all year and have been unable to schedule all the cases as quickly as we would like. We are still focusing on scheduling the oldest cases first and have issued decisions on over 29,300 case numbers so far this year, but our inventory remains around 12,000.

- To decrease our inventory prior to the launch of the new computer system next year, we have started a “super pool” project where we schedule 50-100 unassigned cases per day and identified a small team of very efficient ALJs who are tasked with completing as many hearings as they can each day. Anything the super pool team cannot handle is assigned to other judges whose hearings have defaulted. We remain hopeful that with this new initiative and our increased recruitment, we will be able to significantly increase the number of cases we can hear and decide each week.

- And finally, at the higher authority, our numbers remain relatively stable. We are still not in compliance with the USDOL’s average case age requirement of 40 days. Currently, our average case age is 53 days. This is also due to staffing and the need for some of our judicial staff to dedicate 100% of their time to the very important computer modernization project. Despite this, we have issued approximately 3,475 appeal decisions so far in 2025.

- This concludes my report. And as it is the last Board Meeting of the year, I will wrap up by saying “Go Bills!” - because if the last two games are any indication, they need all the support they can get. Thank you for giving me the opportunity to speak to you today.

- Chair Reily asked if there was any questions, thoughts or comments regarding Tracy’s report.

QA/**FQR:**

- Member Douglas Like the idea of the super pool indicated it seems like a good idea moving forward. Member June O’ Oneill second the support.

- Chair Reilly commended CALJ Covey and her team for been remarkably innovative and creative for our whole organization and coming up with strategies for a consequential difference to the board and to the customers, so may thanks and for that continue the course of excellence. It is so remarkable, and it cannot go unsaid that the average score is 99.67 when the passing score is 85. We have a very talented team, and it reflects in your training, your commitment and the commitment of all the board and all of our seniors and judges. So thank you very much for that **.**

- Member Douglas congratulated CALJ Covey and referred to the score, it’s easy to look at the time frames and not meeting the standards but when you look at the end result, that’s the bottom line.

- Member Jean-Pierre congratulated CALJ Covey on recruitment and pointed out that we know we’re trying to strive to be better for recruiting and training.

- Chair Reilly and asked if there was a motion to accept the record, the report and incorporate into the record.

- Member O’Mara moved to accept the report into the record. Member Jean-Pierre seconded.

- There was a unanimous agreement that the report will be incorporated.

8. Principal ALJ Report – Catherine Adlerman

- Acting Principal ALJ for Appeals Catherine Adlerman discussed four recently decided Court cases:
    - *Matter of Charlene M. Caruso (Shenendehowa Central School District – Commissioner of Labor), 2025 N.Y. App. Div. LEXIS 5241 (Decided September 25, 2025)* In Caruso, the Third Department reversed a decision of the Unemployment Insurance Appeal Board (the "Board") finding that the employer had not provided the claimant reasonable assurance of employment for the 2023-2024 school year. The Board originally found the employer's witness did not possess the requisite first-hand knowledge of the process to hire substitute teachers to be a competent witness. The Court disagreed and concluded that the witness's testimony established her competence. The witness stated that she oversaw the substitute teacher registry system for a little over a year by the time the reasonable assurance letter was sent out in June 2023, was trained by coworkers, utilized online training from the registry company, knew what information was contained in the system and knew how to use the search function to answer questions. The Court further disagreed with the Board's assessment of the evidence that was offered regarding the number of assignments given to the claimant in the preceding year. It also found the fact that the claimant, an uncertified teacher, would not be given preference for substitute teaching assignments was misplaced, as there was no change in the claimant's credentials from one year to the next and the claimant had received assignments in the preceding year. We continue to review this decision to determine its impact on our witness competency assessment and whether we need to review our standards of evidence to establish reasonable assurance.

    - *Matter of Zinaida Karasik (Commissioner of Labor), 2025 N.Y. App. Div. LEXIS 5120 (Decided September 18, 2025).* In Karasik, the Third Department affirmed a decision of the Board that denied claimant's application to reopen a prior Board decision. Claimant testified at the hearing with the aid of a Russian interpreter. The claimant prevailed at the lower authority, and the Commissioner of Labor appealed. By decision dated 1/5/23, the Board reversed the ALJ's decision and sustained the determinations. The claimant did not appeal the decision to Court. Instead, on 5/8/23, she applied to reopen the Board's decision. Claimant argued that her limited English proficiency impeded her ability to understand the proceedings and the decisions. The Court disagreed noting that the claimant fully participated in the original hearing with the assistance of a Russian language interpreter, and both the ALJ and Board decisions contained notices in Russian explaining the result, how claimant could get a translation of the decision, and the process for appealing a decision. Claimant did not allege that she did not understand the Russian notice, was unable to speak to anyone if she tried to call the number provided, nor did she detail any efforts she made to follow the procedures to appeal outlined in the notices. Therefore, the Appellate Division determined that the Board did not abuse its discretion in denying claimant's application to reopen the Board's 1/5/23 decision.

- *Matter of Mercedes (Commissioner of Labor), 205 N.Y. App Div. LEXIS 4669 (Decided August 7, 2025)* In Mercedes, a Spanish speaking claimant applied for unemployment insurance benefits after losing one of her two jobs. While still working at her second job, she certified weekly and received benefits for the period from March 2020 through September 5, 2021. In May 2022, the Department issued an initial determination, finding that claimant was ineligible to receive unemployment insurance benefits from March 22, 2020, to August 1, 2021, and from August 9, 2021, to September 5, 2021, because she was not totally unemployed during that time. By decision filed June 13, 2023, the Board found the claimant had not made willful misrepresentations to obtain benefits for the period of March 22, 2020, to March 14, 2021, because she was only presented with online certification questions in English. However, the Board found that she did make willful misrepresentations for the second benefit period, from March 21, 2020, to September 5, 2021, as she was presented with the certification questions in her primary language and still certified that she was not working. Because there was a willful misrepresentation, the Board found that all the overpaid benefits were recoverable and referred the matter back to the Department of Labor of recalculation of the forfeit and civil penalties. In its initial decision (entered February 13, 2025), the Court found that Labor Law § 597(3)'s one-year limitation on reviewing unemployment insurance determinations did not apply to the recovery of federal benefits and remitted the matter to the Board for determination of whether § 597(3) precludes the recovery of the state benefits. The Board thereafter found the Department of Labor had jurisdiction to issue the initial determination for the entire claim period since her certifications for the period of March 21, 2021, through September 5, 2021, constituted willful misrepresentations. In support of this conclusion, the Board cited Appeal Board No. 623888 A, which held that a single willful misrepresentation concerning how the claimant's employment ended provided the requisite jurisdiction for the Department of Labor to issue initial determinations concerning an ineligibility determination of capability and recoverable overpayment, notwithstanding that there was no willful misrepresentation relating to the claimant's certifications concerning capability. The Third Department disagreed and determined that the subsequent willful misrepresentations, did not afford jurisdiction over the first period where willful misrepresentations were not found. The Court distinguished the prior Appeal Board decision because, in that matter, the willful misrepresentation was about the reason for the separation from work and implicated the entire claim whereas here, the certifications related to the discrete eligibility periods of total unemployment. The Appellate Division also reiterated its holding that the limitation contained in Labor Law § 597(3) did not prevent the Department from recovering the claimant's federal benefits paid during the first period.

- Chair Reilly asked for any questions or comments.
- Member Douglas indicated the last case was very complicated and praised the work done.
- Chair Reilly indicated how days matter, commas matter and how intense the work is, thank acting principal Adlerman for her summary and how it simplified very complicated issues.
- Member O'Neil congratulated Cat on her promotion as acting principle.

- Motion to adopt the report and incorporate into the record was made by Member O'Mara.
- Member Jean-Pierre seconded the motion, which was unanimously adopted into the record.

9. Other/New Business

- Chair Reilly asked for any other new business.
- Member Douglas thanked Cat for always being so quick to get needed answers as well as for her professionalism and wished her all the best, he also thanked Janet for her continued willingness to help and always being the first person around that asks how can she be of help.
- Chair Reilly thanked Member Douglas and second this opinion.

10. Adjourn

- Member Douglas moved to adjourn the meeting, and Member Kimberly seconded the motion. The motion to adjourn was unanimously adopted. The meeting was adjourned at 11:33 a.m.

Submitted by Leighann Brown with the assistance of Alexandra Joa-Gilbert