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parties in the case and its use in other cases is limited. R. 1:36-3.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-3867-15T1

THOMAS J. DEGRAZIA,

Appellant,

v.

BOARD OF REVIEW, DEPARTMENT OF
LABOR AND WORKFORCE DEVELOPMENT
and PRINCETON TECTONICS,

Respondents.

Submitted November 13, 2017 – Decided November 28, 2017

Before Judges Sabatino and Ostrer.

On appeal from the Board of Review, Department
of Labor and Workforce Development, Docket No.
074866.

Thomas DeGrazia, appellant pro se.

Christopher S. Porrino, Attorney General,
attorney for respondent Board of Review
(Melissa Dutton Schaffer, Assistant Attorney
General, of counsel; Robert M. Strang, Deputy
Attorney General, on the brief).

Respondent Princeton Tectonics has not filed
a brief.

PER CURIAM

Thomas J. DeGrazia appeals from the decision of the Board of Review, denying him unemployment benefits because he left his job voluntarily, without good cause attributable to work. We affirm.

On September 27, 2015, DeGrazia quit his job as a shipping manager for Princeton Tectonics after over fourteen years of employment. He testified that he quit because the mounting stress and pressure of the job, over the previous two years, caused him to suffer various physical ailments, including headaches and chest pains. He said he sought medical treatment, and his physician prescribed various diagnostic tests, but had not formulated a definitive diagnosis. However, he had been prescribed "anti-depressant or anti-anxiety medicine."

In support of his claim, DeGrazia introduced into evidence a November 16, 2015 note from his physician, which stated, "Due to mental health issues please extend Thomas' unemployment benefits through December 1, 2015." DeGrazia testified that his doctor asked if he could "take it easy," but DeGrazia told him that he could not do so and remain on the job.

DeGrazia asserted that he told his superiors that the job was making him sick. DeGrazia admitted that he never asked for medical leave or accommodations at work. In essence, he asserted it would have been futile, because he perceived there was no alternative work for him.

Upon review of his claim's initial rejection, the Appeal Tribunal held that DeGrazia was required to submit "specific medical records to validate [the] contention" that his job impaired his health. The doctor's note he submitted did not suffice. Consequently, the Tribunal concluded DeGrazia was disqualified from receiving benefits because he left work voluntarily without good cause attributable to work. N.J.S.A. 43:21-5(a). DeGrazia presented no additional evidence to the Board of Review, which affirmed the Tribunal's decision.

On appeal, DeGrazia renews his argument that he left work for health or medical reasons.

We exercise limited review of the Board's decision. See Brady v. Bd. of Review, 152 N.J. 197, 210 (1997). We will affirm the Board's decision if it is supported by substantial credible evidence. Ibid. A person is generally disqualified from receiving unemployment benefits if he or she "has left work voluntarily without good cause attributable to such work" N.J.S.A. 43:21-5(a). We recognize that "[a]n individual who leaves work because of a disability which has a work-connected origin is not subject to disqualification for voluntarily leaving work" N.J.A.C. 12:17-9.3(a). However, "[w]hen an individual leaves work for health or medical reasons, medical certification shall be

required to support a finding of good cause attributable to work."

N.J.A.C. 12:17-9.3(d).¹

Simply put, DeGrazia's proofs fell short. The only medical evidence presented was the doctor's uncertified note. Even reading that note indulgently, it stated only that DeGrazia was not fit for work between November 16 and December 2015. It did not address the cause of DeGrazia's disability, nor did it say he could not return to his job for health reasons. Rather, the note implied that he would be fit to return to work on December 1, 2015. Thus, the Board's decision is supported by substantial credible evidence since DeGrazia failed to present adequate proof of work-related illness required by the governing regulation.

Affirmed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.


CLERK OF THE APPELLATE DIVISION

¹ The person who leaves work for work-related medical reasons must also demonstrate "there was no other suitable work available which the individual could have performed within the limits of the disability." N.J.A.C. 12:17-9.3(a). Neither the Tribunal nor the Board relied on this requirement. Therefore, we need not address it.