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This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the 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-1984-23**

AFERDITA BLLOSHMI,

Appellant,

v.

**BOARD OF REVIEW,
DEPARTMENT OF LABOR,
and GOURMET DINING,**

Respondents.

Submitted March 5, 2025 – Decided March 11, 2025

Before Judges Rose and Puglisi.

On appeal from the Board of Review, Department of Labor, Docket No. 305617.

Aferdita Blloshmi, appellant pro se.

Matthew J. Platkin, Attorney General, attorney for respondent Board of Review (Janet Greenberg Cohen, Assistant Attorney General, of counsel; Kathryn B. Moynihan, Deputy Attorney General, on the brief).

PER CURIAM

Claimant Aferdita Blloshmi appeals from a December 28, 2023 Board of Review final decision, finding her claim for unemployment benefits was invalid because she failed to establish sufficient base weeks of employment or earnings for a valid claim. We affirm.

From August 28, 2010 to May 16, 2022, Blloshmi was employed as a seasonal, part-time food service worker for Gourmet Dining, a dining program at Seton Hall University in South Orange. In the summer of 2022, Blloshmi was temporarily laid off. On August 26, 2022, she returned to work for the 2022 fall semester.

On May 15, 2022, Blloshmi filed a claim for unemployment benefits. On July 26, 2022, the Deputy Director of the Division of Unemployment and Disability Insurance found Blloshmi's claim invalid because she had insufficient base weeks or earnings to establish a valid claim. Blloshmi thereafter appealed the Deputy's decision to the Appeal Tribunal.

During the ensuing telephonic hearing, Blloshmi represented herself and testified with the assistance of an interpreter. Blloshmi acknowledged: she was employed part-time in view of her disability; from May 16, 2022 through August 26, 2022, she did not work; and when she returned to work in August 2022, she worked fewer hours so that she had less contact with other people in light of the

COVID-19 pandemic and her disability. Blloshmi claimed she did not receive some payment to which she was entitled, but failed to produce any evidence in support of her claims.

In its October 19, 2022 decision, the Tribunal affirmed the Deputy's determination. The Tribunal found Blloshmi appealed on May 15, 2022¹ from the Deputy's July 26, 2022 determination. Finding Blloshmi filed her unemployment benefits claim on May 15, 2022, the Tribunal determined the following base years were established: (1) a regular base year from January 1, 2021 through December 31, 2021; (2) an alternate base year from July 1, 2021 through May 14, 2022; and (3) a second alternate base year from October 1, 2021 through May 14, 2022. The Tribunal concluded Blloshmi established seven base pay weeks and \$7,439.28 in earnings during the regular base year. Because Blloshmi failed to establish twenty base pay weeks and earned wages of at least \$12,000 during the base year of her May 15, 2022 unemployment claim, the Tribunal invalidated her claim under N.J.A.C. 12:17-5.1 and -5.2.

Blloshmi thereafter appealed the Tribunal's decision to the Board. In its December 28, 2023 decision, the Board affirmed the Tribunal's determination, but supplemented the Tribunal's factual findings. The Board clarified on August

¹ As the Board later clarified, the May 15, 2022 date was incorrect.

8, 2022, Blloshmi appealed from the Deputy's July 26, 2022 determination. The Board agreed with the Tribunal's finding that a regular base year was established from January 1, 2021 through December 31, 2021, but found an alternate base year was established from April 1, 2021 through March 31, 2022, and a second alternate base year was established from July 1, 2021 through May 14, 2022.

The Board then detailed Blloshmi's earnings per number of base weeks worked per quarter. The Board concluded, "[a]lthough the claimant stated she previously was employed full-time through 2019 and then her hours were reduced due to the pandemic," her assertions "do[] not negate the fact that the claimant did not have sufficient base weeks and earnings during the base year periods for a valid claim in 2022."

On appeal, Blloshmi does not challenge the Board's findings that she failed to establish sufficient base weeks or earnings to support her unemployment benefits claim. Instead, Blloshmi argues she was forced to work reduced hours because of the pandemic.

Our "capacity to review administrative agency decisions is limited." Brady v. Bd. of Rev., 152 N.J. 197, 210 (1997). We will not disturb an agency's ruling unless it is arbitrary, capricious, or unreasonable. Ibid. We defer to the Board's factual findings if they are supported by sufficient credible evidence.

Ibid. Further, "[i]n reviewing the factual findings made in an unemployment compensation proceeding, the test is not whether an appellate court would come to the same conclusion if the original determination was its to make, but rather whether the factfinder could reasonably so conclude upon the proofs." Ibid. (alteration in original) (quoting Charatan v. Bd. of Rev., 200 N.J. Super. 74, 79 (App. Div. 1985)).

An employee must establish his or her right to collect unemployment benefits. Id. at 218. Pursuant to N.J.S.A. 43:21-4(e)(4), in essence, an individual is qualified for benefits if he or she has "[e]stablished at least [twenty] base weeks" or "earned remuneration not less than an amount 1,000 times the minimum wage in effect."

We have considered Blloshmi's contentions in light of the record and applicable legal principles, and conclude they are without sufficient merit to warrant discussion in a written opinion. R. 2:11-3(e)(1)(E). Pursuant to our limited standard of review, we affirm, substantially for the reasons expressed in the Board's final decision, which "is supported by sufficient credible evidence on the record as a whole." R. 2:11-3(e)(1)(D).

Affirmed.

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

M.C. Hanley

Clerk of the Appellate Division