

Questions & Answers on Unemployment

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I lost my job. Am I eligible for unemployment?

Generally, you are entitled to unemployment insurance (UI) if: you are totally or partially unemployed; you lost your job for a non-disqualifying reason; you have earned at least \$6,300 and worked approximately 15 weeks in roughly the prior 15 months; and you are capable of, available for and actively seeking work.

How do I apply?

You can file a claim with the Department of Unemployment Assistance (DUA)'s UI Online at <https://uionline.detma.org/Claimant/Core/Login.ASPX>, available daily from 5:00 a.m. to 10:00 p.m. Information regarding UI is available in Spanish, Portuguese, Haitian Creole, Vietnamese, and Chinese at <https://unemployment.mass.gov/>. To access the UI Online User Guide, enter Claimant User Guide in the search box at the top of the page.

You can file with DUA over the phone by calling the TeleClaim Center at 877-626-6800, Monday - Friday: 8:30am - 4:30pm. Multilingual assistance is available.

You can also get help filing your claim at the Boston Reemployment Center (REC). More information on REC and how to make an appointment online is available at <https://www.mass.gov/info-details/welcome-to-the-boston-re-employment-center-rec>. You can also receive help at one of the state's 32 career centers. Go to <https://www.mass.gov/topics/masshire-for-jobseekers> for a list of career centers and their hours, or call 1-877-US2JOBS. If you go in person, be sure to have your Social Security number, the names and addresses of your employers for the last 15 months and the Social Security numbers of your dependent children. If you are a non-citizen, have your A# handy. If you have earned enough to be eligible for UI, you will be given a Benefit Determination Notice. Make sure it lists all your wages accurately.

How is the decision made?

DUA will contact all your employers from the last 15 months. Your employers during the last eight weeks are "interested parties" and must respond within 10 days. If any employer protests your claim, DUA will contact both you and your employer, and a claims adjuster will make a decision, generally within 30 days.

Is DUA's decision to grant or deny unemployment final?

You have **10 calendar days** to appeal the decision (up to **30** if the delay is for good cause). If your English is limited, and DUA did not give you notice in your primary language, you have up to 60 days. DUA then holds a hearing. If you lose, you have 30 days to appeal to the Board of Review, after which you may appeal in District Court. You may also requalify for UI after eight weeks of work with sufficient earnings. You can request a reconsideration within a year of the most recent decision and/or seek a waiver of any overpayment owed. Being represented greatly increases your chances at DUA hearings, the Board of Review and Court. Call legal aid to see if they can assist you.

How much will my unemployment payments be?

You should receive roughly 50% of your average weekly gross earnings, with a maximum amount of \$1,033 per week. Generally, DUA will calculate your amount based on your two highest quarters of prior earnings. You may also receive a dependent allowance of \$25 per dependent child (including children in your custody pending adoption). Children can be up to 18 years old, 24 if full-time students, or any age if incapable of earning wages due to mental or physical disabilities.

Once the payments start, do I need to do anything?

You must certify weekly through UI Online that you are actively seeking work **even if you are initially denied UI**. Do not certify if you are outside the U.S., U.S. territories or Canada. If you had a prior claim, you can use UI Online Services by providing your mother's maiden name to set up a password.

DUA also offers an automated telephone system, TeleCert, to certify for benefits weekly. The TeleCert Line is 617-626-6338 and is available in English, Spanish, Portuguese, Vietnamese, and Chinese. Instructions on how to create a PIN needed for TeleCert are

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| | <p>available at https://www.mass.gov/how-to/learn-how-to-create-a-telecert-pin.</p> <p>You can also certify by calling 617-626-6800 or calling 1-877-626-6800 toll free in area codes 351, 413, 508, 774 or 978. Multilingual assistance is available. Your call day must correspond to your Social Security number (SSN): Monday if the last digit of your SSN is 0 or 1; Tuesday for 2, 3; Wednesday for 4, 5, 6; Thursday for 7, 8, 9; and Friday for any last digit. You may also have to go to a career center seminar and keep a work search log of 3 weekly job search efforts. If you fail to do so, your UI check may be delayed or stopped.</p> <p>You should report all wages earned in a given week. The weekly certification questions can be complicated; make sure you understand what DUA is asking before you answer.</p> |
| How long will I be able to collect if I can't find a job? | Regular benefits currently last up to 26 weeks, but if your pay fluctuated or if you worked less than a year you may receive far less. |
| I had to leave work when my childcare fell through. Can I collect? | Leaving work for compelling personal reasons, such as to care for an ill parent or deal with a childcare crisis, may not disqualify you. However, you will need to show you took reasonable steps to preserve your job, such as requesting a leave of absence or change of hours, and you will only be eligible if you are capable of and available for some type of suitable work (which does not need to be with your former employer). |
| My supervisor swore at me constantly and I finally quit my job to save my sanity. Am I eligible? | Yes, if you can prove that you quit your job for good cause attributable to the employer. But you may need to show that you took reasonable steps to preserve your job, such as first bringing the problem to your employer's attention. |
| I left my job to get away from my abusive partner . Am I eligible? | Yes, you are eligible for UI if you left or were terminated from a job due to domestic violence against yourself or a dependent child or due to the need to address the physical, psychological and legal effects of domestic violence on you or your family. |
| I was fired . Am I disqualified from receiving UI? | Only if the employer demonstrates that you were fired for deliberate misconduct in willful disregard of the employer's interest, a knowing violation of the employer's reasonable and uniformly enforced rule or policy, or conviction of a crime. For the first two reasons, the employer must show that the conduct was intentional and not due to your incompetence and that you knew and intended to do something wrong. |
| Can I get benefits after completing a job through a temp agency ? | Yes, but you must first contact the temp agency to see if they have any more suitable jobs for you (if the employer informed you in writing to do so). Call your legal aid program for help. |
| I've been working in the U.S. for many years, but I'm not a citizen . Am I eligible for UI? | Non-citizens with work authorization are eligible, including individuals with Temporary Protected Status (TPS), Deferred Enforcement of Departure (DED) and many other immigration statuses. UI receipt is not a "public charge" and will not interfere with obtaining permanent status. If you are denied UI due to immigration status, go to https://massslrf.org/en/home . |
| I am collecting UI and have been offered a part time job . If I accept will I lose my whole UI check? | You must report all earnings, but you can earn up to a third of your weekly benefit rate without reducing your UI check; earnings above this amount are deducted dollar for dollar from your weekly benefit, but this will not reduce the total amount of benefits you can collect during your benefit year. Note that if you later leave your part-time job for a disqualifying reason, deductions will continue to be made from your check. |
| Can I participate in training while receiving UI and get additional weeks of UI benefits? | Yes, you can participate in training in DUA approved programs if you are permanently separated from your employer, unlikely to get a suitable job with your current skills, and need training to get work. DUA approves full-time programs that you can complete in two years for vocational/technical or three years if training includes basic skills or ESOL. You can get up to 26 weeks of extended UI benefits during training if you apply in the first 20 weeks of a new or approved claim. See: www.mass.gov/dua/training . For Pell Grants up to \$6,495, see: https://studentaid.gov/understand-aid/types/grants/pell |
| Is UI taxable , and does it count as "earnings" for EITC ? | UI is taxable, but it does not count as "earnings" for the Earned Income Tax Credit programs. You can choose to have taxes withheld from your UI check. If you do not withhold, you will be responsible for taxes owed at tax time. |
| Do I receive notices from DUA | You can select how you would like DUA to send you notices when you apply for benefits. |

electronically or by **U.S. mail**?

The options are electronic communications and communications through U.S. mail. If your primary language is not English, you must select U.S. mail as electronic communications are only available in English. You can also update your notification preference at any time through your UI Online account.

Note: When you **stop** collecting unemployment benefits, you should change your notification preference to **U.S. Mail**. DUA may send important notices, including notices of disqualification or overpayments, even **after** you stop collecting unemployment benefits.

With appeal deadlines as brief as 10 days, you may end up unable to challenge these costly determinations. If you later move, you must update your mailing address with DUA so that notices sent by U.S. Mail will reach you timely.

*This information is general in nature and not intended as legal advice. Generally the income eligibility limit for legal aid is 125% of the federal poverty line, although there are exceptions (e.g. elders). **Because their funding is limited, legal aid programs cannot serve all eligible callers.***

You may find the legal aid organization which serves your area on the following website: <https://www.mass.gov/doc/malc-map-legal-aid-organizations-and-the-towns-they-serve/download>

Last edited by Greater Boston Legal Services on 2/15/2024