Questions & Answers on Unemployment

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| Question | Answer |
| **I lost my job. Am I eligible for unemployment insurance benefits?** | Generally, you may be eligible for unemployment insurance (UI) if: you are totally or partially unemployed; you lost your job for a non-disqualifying reason; you were paid at least $6,300 and worked at least 15 weeks in the last four complete calendar quarters before you applied for benefits (or the last three complete calendar quarters plus any weeks in the calendar quarter in which you filed your claim); and you are capable of, available for, and actively seeking suitable work.  **If you are not sure whether you qualify, you should file an application for benefits and DUA will decide whether you are eligible.** |
| **How do I apply?** | You can file a claim with the Department of Unemployment Assistance (DUA):   * Online. You can find instructions from DUA at this website: <https://www.mass.gov/how-to/apply-for-unemployment-benefits>. If you had a prior UI claim and did not use UI Online or can’t remember your password, you can enter your social security number and click “Forgot Password” to create a new password and access your account. * By phone. You can DUA to file your application at 877-626-6800, Monday-Friday between 8:30 a.m. – 4:30 p.m. * In-person at DUA’s Boston Re-Employment 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>. * DUA can help you in multiple languages by phone or at the Re-Employment Center. |
| **How is the decision made?** | DUA will contact all your employers from about the last 15 months for information. They must respond to DUA within 10 days. DUA might also contact you to get more information before it makes a decision.  DUA will consider all the information it gathered and make one or more decisions about your eligibility. DUA will send notices about your eligibility to your UI Online inbox or by U.S. mail if you selected that option when you applied. Make sure to read all the notices carefully, and to follow any instructions by the deadlines they list. |
| **Is DUA’s decision to grant or deny unemployment final?** | No. If you do not agree with a decision DUA makes, you have 10 calendar days to appeal the decision (up to 30 days 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. **Follow the instructions on the notice to request an appeal.**  After you file an appeal, DUA will hold a hearing. If DUA still denies you benefits after the hearing, you have 30 days to appeal to the Board of Review. If you disagree with the Board of Review’s decision, you can file an appeal to the state district court that serves the town where you live.  If DUA paid you benefits but then says you are not eligible, you can also ask for a “waiver.” If DUA approves you for a waiver, you will not have to pay back the benefits DUA already paid you.  If you are denied benefits, you can call your local legal aid office to see if they can help you. You can find more information about how to find help from legal aid at the bottom of this document. |
| **How much will my unemployment payments be?** | You should receive about 50% of your average weekly gross earnings in the last 15 months. The maximum amount is currently $1,051 per week.  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 years old if full-time students, or any age if incapable of earning wages due to mental or physical disabilities.  At the beginning of your claim, DUA will send you a “monetary determination.” If any of your employers or wages for the time period listed are missing, follow the instructions on the document to send DUA proof of any wages missing from the document. This might make you qualify for benefits if DUA said you are ineligible, or for a higher weekly benefit amount if you were already found eligible. |
| **After I file my claim, do I need to do anything?** | Yes. For every week you remain unemployed, you must “certify” for benefits. To be eligible for benefits on a given week, you must be capable of, available for, and actively seeking some type of work.You must also report any earnings if you worked during the week for which you are claiming benefits. **To receive benefits, you must certify for benefits each week even if DUA has not yet made a decision on your claim or if they initially find you ineligible.**  You can certify:   * On UI Online. You can find instructions for accessing UI Online at: <https://www.mass.gov/how-to/apply-for-unemployment-benefits>. * By phone, through DUA’s TeleCert line. 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 available at: <https://www.mass.gov/how-to/learn-how-to-create-a-telecert-pin>.   If DUA approves your claim, you may also have to go to a career center seminar and interview called a Re-Employment Services and Eligibility Assessment (RESEA).  **Pay close attention to the deadlines in the letter DUA sends you, and make sure to take any action needed before the deadlines listed. If you don’t, DUA may find you ineligible and stop paying you benefits.** |
| **How long will I be able to receive benefits if I am approved?** | Regular benefits currently last up to 26 weeks, but you may receive less depending on how much you were paid in around the last 15 months.  You might be able to get an additional 26 weeks of benefits while attending a training program that DUA approves. You can find more information about training benefits on this website: [www.mass.gov/dua/training](http://www.mass.gov/dua/training). |
| **I had to leave work when my childcare fell through. Am I eligible?** | You may be eligible if you had to leave work for urgent reasons, such as to care for an ill parent or deal with a childcare crisis. You will likely need to show you took reasonable steps to preserve your job, such as requesting a leave of absence or change of hours, or that doing so would not have helped resolve the problem.  You also have to remain capable of, available for, and actively seeking some type of work, though it does not need to be the same type of work you were performing. |
| **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 or that doing so would have not resolved the problem. |
| **I left my job to get away from my abusive partner. Am I eligible?** | Yes, you may be 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 shows that it fired you for “deliberate misconduct in willful disregard” of its interests, for a “knowing violation” of a reasonable and uniformly enforced rule or policy, or for conviction of a crime. For the first two reasons, the employer must show that you intentionally did 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). |
| **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. |
| **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 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 apply and DUA finds that you need training to get new work. DUA approves full-time programs that you can complete in two years for vocational/technical programs or three years if training includes basic skills or ESOL classes. You can get up to **26 weeks of extended UI benefits** during training if you apply within 20 weeks of when your claim is approved. See: [www.mass.gov/dua/training](http://www.mass.gov/dua/training). |
| **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, you will be responsible for taxes owed on the UI benefits you received when filing your tax return. |
| **Do I receive notices from DUA electronically or by U.S. mail?** | You can select how you would like DUA to send you notices when you apply for benefits. You can ask DUA to send you notices electronically (through UI Online) or through U.S. mail. If your primary language is not English, you should select U.S. mail, as UI Online is only available in English. You can update your notification preference at any time through your UI Online account.  When you stop collecting unemployment benefits, you should continue checking your UI Online account and consider changing 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. **If you miss a deadline, you may not be able to challenge these decisions. If you move, make sure to update your mailing address with DUA so that notices sent by mail reach you.** |
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| *This information is general in nature and not intended as legal advice.*  For more specific help, you can call the legal aid office serving your town, which you can find on this website: <https://www.mass.gov/doc/malc-map-legal-aid-organizations-and-the-towns-they-serve/download>.  The phone numbers for these legal aid organizations are also listed below:  **Greater Boston Legal Services:** 617-371-1234  **Community Legal Aid:** 855-252-5342  **MetroWest Legal Services:** 508-620-1830  **South Coastal Counties Legal Services:** 800-244-9023  **Northeast Legal Aid**: 800-336-2262  **Volunteer Lawyers Project:** 617-603-1700  *Generally, the income eligibility limit for legal aid is 125% of the federal poverty line, although there are exceptions. Because their funding is limited, legal aid programs cannot serve all eligible callers.* | |

Last edited by Greater Boston Legal Services on 2/20/2025