

# Frequently Asked Questions - UI Businesses and Workers

## **Q: What is the Unemployment Fact-finding and Adjudication process about?**

**A:** **The fact-finding and Adjudication** is a process dedicated to gathering the facts from interested parties, including the employer and the unemployed worker. [Burden of proof \[PDF\]](#) used to help determine eligibility is dependent on the type of issues. Once the facts have been gathered, a determination will be issued and sent to all interested parties. Should any interested party disagree with the determination, an appeal can be filed. Further information on this process may be obtained by clicking [here](#).

## **Q: How can a person be filing for UI benefits and be working at the same time? What can be done about it?**

**A:** An individual may work and file for partial unemployment benefits, providing he/she reports gross monies earned for each week filed. All unemployment claims filed for a week effective on or after July 6, 2014 will disregard 50% of the gross wages earned. This is called Disregarded Earnings. Any amount above the Disregarded Earnings amount is deducted dollar-for-dollar from the current WBA and the person is paid a partial benefit.

## **Q: What is unemployment fraud?**

**A:** Unemployment fraud is when it is suspected a person has inappropriately received unemployment insurance benefits. The most common form of unemployment fraud is when a person is working under the table or full time while also receiving unemployment benefits.

Anyone who suspects a person is working and failing to report earnings, while also filing for unemployment compensation, should contact this department's Program Integrity Unit at (802) 828-4333 or transmit a completed [fraud report](#).

## **Q: How does the department investigate or determine benefits have been overpaid? How long does this process take?**

**A:** The department has various ways to obtain the necessary information to conclude if payment of unemployment benefits was proper. Generally, audits are completed within 45 days. However, the following situations may result in delays: non-response or uncooperative claimants/employers to requested information, claimant lives or is working out of state, residency changed/seasonal resident, and/or bankruptcy issues.

## **Q: What are penalty weeks?**

**A:** Penalty weeks are an administrative penalty that is assessed when it is determined the claimant intentionally misrepresented a material fact, which lead to receiving benefits improperly; this is in addition to owing the monetary amount of overpaid benefits. In other words, penalty weeks are the department's consequence for falsifying an Unemployment Insurance claim. The maximum amount of penalty weeks that can be assessed on a determination is twenty-six (26) weeks. They will impact future receipt of Unemployment Insurance benefits for three years from the date in which they were

assessed. Any claim that has the dollar value of a \$1.00 or more is equal to (1) penalty week. Whatever the dollar value of the claim is, such amount is deducted from the maximum benefit balance. Employers are not charged for penalty weeks claims.

**Q: How do I pay this bill?**

**A:** The Program Integrity Unit has collectors who manage delinquent accounts. If you are unable to pay the amount you were billed, you must contact us immediately by calling 802-828-4333 to make other arrangements.

**Q: Can I set up a payment plan?**

**A:** Yes, by contacting the collector handling your account. If you don't know who that collector is, contact the Program Integrity Unit's general line at 802-828-4333.

**Q: What legal action is taken to collect amounts owed the Vermont Department of Labor and will interest be charged?**

**A:** That depends on whether the amounts owed are stemming from an overpayment of previously paid Unemployment Insurance benefits or from unpaid taxes, interest, penalties, or liens.