

Department of Unemployment Assistance (DUA)

Services

Employment & Labor Law

- Unemployment Overpayment Waiver Requests

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Overpayment Waiver Requests

No matter the circumstances that may lead to an employee's separation from their employer, the impact can be life changing. Many people spend years as an employee paying into the [Department of Unemployment Assistance \(DUA\)](#) in unemployment contributions and only apply for benefits when they have been terminated from a position or were forced to leave their job for urgent, compelling, or necessitous reasons. Once received, Claimants rely on DUA benefits in order to pay for their everyday expenses, including their mortgage/rent, utilities, food, childcare expenses, etc. An unfortunate reality for many Claimants is that DUA is now asserting that they were overpaid benefits and they are being required to pay back hundred and thousands of dollars in DUA benefits which they relied on in order to meet their daily financial obligations and are not able to repay.

If you are currently being presented with an alleged overpayment of DUA benefits, your best option may be to request and submit an overpayment waiver request to DUA. By either accessing your online DUA portal or by calling (617) 626-6800, you may obtain the Request for a Waiver of Overpayment Application from DUA. DUA has authority to waive an overpayment if the following circumstances are met: (1) the overpayment was not your fault; and (2) your income is less than your expenses; or (3) you used the money for things that were not ordinary expenses, like paying off a debt; or (4) you gave up other money (such as welfare payments) because you received unemployment benefits; or (5) you receive certain income-eligible benefits such as TANF or similar benefits.

Our firm's experience in handling Unemployment matters allows us to assist you with the Overpayment Waiver Request process. We are able to work with you to obtain the information required in order to submit a completed Request for a Waiver of Overpayment to DUA along with a written addendum outlining the facts of your claim and relevant Massachusetts laws regarding overpayment waivers.

At Cohen Cleary, P.C. we have several [attorneys](#) with many years of experience handling unemployment matters and requests for waiver of overpayments. If you are facing a denial, an overpayment, or your employer is appealing a decision made by DUA, please contact our office to discuss how we may be able to assist. On these matters, time is of the essence in getting you a waiver of overpayment that you deserve and need during these trying times. We encourage anyone who is faced with these issues to call our office at [508-880-6677](tel:508-880-6677) and speak with one of our experienced unemployment attorneys today.