

Notices of Unemployment Claims May Be Fraudulent

According to the Massachusetts Department of Unemployment Assistance (DUA) website, criminal enterprises using stolen personal information from earlier national data breaches have been attempting to file fraudulent unemployment claims through the DUA system. And they note that this is part of a national unemployment fraud scheme.

- **If you receive a form from the Massachusetts DUA**, stating that one of your employees (terminated or active) has applied for unemployment – First, you should contact the employee and ask if they filed an unemployment claim.

- **If the employee filed an unemployment claim** – If the dates on the form are correct, you may answer only questions that you are sure of; then you should sign, date, and write your phone number on the original form and mail it to DUA. (Keep a copy.) Please contact Joyce Contrucci at jcontrucci@rcab.org for guidance if you have questions.

- **If the employee did not file an unemployment claim** - Advise them to go to the DUA website and report the unemployment benefits fraud. They should also be encouraged to take the steps listed on the website, which include filing a police report with their local police department and asking for a copy of that report. Please follow the DUA instructions at the end of this memo for guidance on how to complete the original form. You may also contact Joyce Contrucci at jcontrucci@rcab.org for guidance.

- **Employees** - May go to the following DUA website for information and to report fraud:
www.mass.gov/unemployment-fraud

- **Employers** - Can report fraud by emailing: UIFraud@detma.org with **FRAUDULENT CLAIM** in the subject line.
 - Include in your email:
 - The employee's name and the last 4 digits of their Social Security number (e.g., xxx-xx-1234)
 - Whether the employee remains actively employed or not
 - Whether the employee has already reported the fraud to DUA
 - Your contact information (your name & title/parish or school/address/email/phone)

If you have questions, please email Joyce Contrucci at jcontrucci@rcab.org

DUA Instructions to Employers

Proper Handling for Reporting Fraudulent or Improper Unemployment Claims

In recent months the Massachusetts Department of Unemployment Assistance has been receiving notifications from employers protesting claims in bulk and reporting likely fraudulent or improper unemployment claims. These notifications have been coming in various forms ranging from letters being written to the Department, employers writing "Fraud" across Department letters and forms and sending them back, and other mechanisms that are inhibiting or preventing the Department from handling these issues in a timely and accurate manner. The purpose of this notice is to provide clear guidance on how each of these situations where there is a questionable claim against an employer should be handled.

If an employer has received a "Confirmation of Employment" letter:

1. The most effective and efficient way is to complete the form online.
2. When filling out the form (online or in paper) please fill in the form as intended and do not write across the form, do not write notes outside of the specific questions, checkboxes, or other data entry areas.
3. If the person still works for you please select "Still Employed-Part Time". You make this selection even if the person is a full-time employee.
4. If the person never worked for you, please select "The claimant did not work for me during the time period stated."
5. The employer should encourage the employee to file a fraud report and follow the guidance at: <https://www.mass.gov/info-details/report-unemployment-benefits-fraud>

If an employer has received a "Lack of Work" letter for an employee who either has never worked for your company or is employed by your company without any break in service for the past year:

1. The most effective and efficient way is to complete the form online.
2. When filling out the form (online or in paper) please fill in the form as intended and do not write across the form, do not write notes outside of the specific questions, checkboxes, or other data entry areas.
3. If the person still works for you, please select "Still Employed-Part Time". You make this selection even if the person is a full-time employee.
4. If the person never worked for you, please select "The claimant did not work for me during the time period stated."
5. The employer should encourage the employee to file a fraud report and follow the guidance at: <https://www.mass.gov/info-details/report-unemployment-benefits-fraud>

If the employer or employee is responding to a "Fact Finding Letter"

1. Complete the form as provided. Do not write across the form, simply fill in the form as requested.
2. Employers should inform employees who had a claim filed without their permission to go to: <https://www.mass.gov/info-details/report-unemployment-benefits-fraud> to report the fraudulent claim and find information and advice on other things they should do to protect their identity.

If an employer has received a "Monetary Determination" they are in disagreement with:

The employer should encourage the employee to file a fraud report and follow the guidance at: <https://www.mass.gov/info-details/report-unemployment-benefits-fraud>

If an employer is protesting a claim a result of a "Benefit Charge Statement" they are in disagreement with:

1. Protests can only be filed online and not by any other mechanisms.
2. On the online form, enter a comment saying "Fraudulent Claim" and then provide information why you believe the claim was fraudulent (e.g. The claimant still works for our company and when we spoke to the claimant they said they never filed a claim).
3. In a case where both the employer and the employee acknowledged that they claim was not filed by the employee, the employer should fill in the protest form in using their UI Online account and the employee should be directed to file a fraud report and follow the guidance at: <https://www.mass.gov/info-details/report-unemployment-benefits-fraud>