



DEPARTMENT OF UNEMPLOYMENT ASSISTANCE
UI POLICY & PERFORMANCE
INTEROFFICE MEMORANDUM

DATE: February 19, 2020

RESCISSION(S): End indefinite denial procedures dated 2/8/2019

REFERENCE NO.: UIPP 2020.04

TO: All DUA Managers and Staff

FROM: John Saulnier, Director of Benefit Performance

SUBJECT: End Indefinite Denial Procedures

Effective immediately, the UITCC will be responsible for ending indefinite disqualifications on issues **which have not been appealed** to the Hearings Department in the following scenarios:

- 1) **Requalifying Wages:** When a claimant has returned to work after a separation disqualification and the claimant has provided requalifying wages;
 - 2) **Ending Indefinite Disqualifications:** When a claimant presents new information after the Adjudication decision has already gone out (such as a *doctor's note on a Capability issue indicating the Claimant is able to work* or a *Claimant is indefinitely disqualified on a Still Employed issue and reopens the claim against Additional Employment;*)
 - 3) **Prior Claim Disqualification Is No Longer Applicable:** When a claimant is granted a predate on a new claim and payment for the predated weeks on the new claim is prevented due to a prior claim disqualification.
1. **Indefinite Disqualification under Massachusetts General Law Chapter 151A, §25(e)(1) or §25(e)(2) issue:**
- If a claimant has a separation disqualification on the claim, the Agent should inform the claimant that requalifying wages are required and instruct them how they can send them in.
 - The Agent should put a note on the claim that the claimant is sending them in.
 - If an Adjudicator obtains the necessary requalifying wages from the claimant in order to end a disqualification, they may enter the wages which will put an end date on the issue.
 - A supervisor will enter the wages that a Claims Agent requested in order to end the disqualification.

Please note: UI Online will send requalifying wage forms to employers when there is an indefinite disqualification on a claim, even when they might not be required. These wage forms that are mailed in by employers should be reviewed by the Wages department, and, if necessary, data entered.

2. Indefinite Disqualification on Other issues (Massachusetts General Law Chapter 151A, §29(a)&1(r), §29(b)&1(r), §24(b), etc.):

Claims Agents and Adjudicators should follow the current procedures for ending indefinite disqualifications on non-separation issues:

- Adjudicators, obtain the claimant's statement which prompted the request to end the indefinite disqualification. Attach any relevant documents to the issue. Add a corrected level to the issue and make the necessary corrections. No determination should be sent out to parties.
- Agents, email your supervisor the Claimant ID, Issue ID, and correct end date and a note that we need to obtain the claimant's statement which prompted the request to end the indefinite disqualification. The supervisor should create the fact-finding for the necessary statement and the claimant can then be directed to the fact-finding line for assistance. Once the statement is complete, the supervisor can attach any relevant documents to the issue. Although it will not be sent out to parties, it will be the basis for the correction.

3. Modifying prior Claim disqualification:

- In certain circumstances (*such as when a claimant is granted a predate on a new claim and payment on the new claim is prevented due to a prior claim disqualification overlapping after the BYB date is changed*), an end date needs to be changed. Adjudicators and Agents should e-mail their supervisor the Claimant ID, Issue ID, and correct end date. Your email request will be scanned into UI Online and uploaded as part of the decision at the End Indefinite Denial level.

Issue at Hearings level:

Effective immediately, the Hearings Department will be responsible for ending indefinite disqualifications in the following two scenarios:

- 1) When a claimant presents new information after the hearings decision has already gone out (such as a doctor's note on a capability issue indicating the claimant is able to work).
- 2) When a claimant is granted a predate on a new claim and payment on the new claim is prevented due to a prior claim disqualification due to either a hearings decision or a claimant default at the hearing.

Before requesting an end date from Hearings; please review Eligibility Issues/ Issue Summary, sort the filter to "Appeal Level Issues" and confirm that the Issue Status is either "Mailed", "Completed", "Determined" or "Dismissed." If you are unsure whether the issue should be referred to Hearings, contact your supervisor.

All end indefinite denial requests should be made by email to your supervisor. Supervisors should review the information to ensure appropriate documentation is included and forward the email to Sheryl.Pace-Webb@detma.org and Cc: HearingsQualityUnit@detma.org. Include the claimant's statement prompting the request along with the Claimant ID, Issue ID, and correct end date and any relevant documents.

Do not send the request without documents establishing the disqualification should be ended. The Hearings department is not responsible for requesting the documents necessary to end the disqualification. Your email request will be scanned into UI Online and uploaded as the decision at the Corrected level. Although it will not be sent out to parties, it will be the basis for the correction.

Questions?: Please contact UI Policy and Performance at UIPolicyandPerformance@detma.org or 617-626-6422