

**The claimant presented a valid driver’s license and U.S. Passport, but nothing to verify his Social Security number. On remand, he presented a valid Social Security card and two paystubs verifying the address and Social Security number used to file the claim for benefits. This documentation is sufficient to verify the claimant’s identity as the person who filed the claim.**

**Board of Review  
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**Issue ID: 0080 3520 88**

Introduction and Procedural History of this Appeal

The claimant appeals a decision by a review examiner of the Department of Unemployment Assistance (DUA) to deny unemployment benefits. We review, pursuant to our authority under G.L. c. 151A, § 41, and reverse.

The claimant filed a claim for unemployment benefits with the DUA, which was denied in a determination issued on June 10, 2023. The claimant appealed the determination to the DUA hearings department. Following a hearing on the merits, attended by the claimant, the review examiner affirmed the agency’s initial determination and denied benefits in a decision rendered on July 27, 2023. We accepted the claimant’s application for review.

Benefits were denied after the review examiner determined that the claimant did not meet the filing and registration requirement to verify his identity as the person who filed this claim for unemployment insurance benefits, and, thus, he was disqualified under G.L. c. 151A, § 25(a). After considering the recorded testimony and evidence from the hearing, the review examiner’s decision, and the claimant’s appeal, we remanded the case to the review examiner to afford the claimant an opportunity to present additional documentary proof of his identity. The claimant attended the remand hearing. Thereafter, the review examiner issued her consolidated findings of fact. Our decision is based upon our review of the entire record.

The issue before the Board is whether the review examiner’s decision, which concluded that the claimant did not provide sufficient documentation to verify his identity because he did not provide any documents verifying his Social Security number, is supported by substantial and credible evidence and is free from error of law.

Findings of Fact

The review examiner’s consolidated findings of fact and credibility assessment are set forth below in their entirety:

1. The claimant filed a claim for unemployment benefits with the Department of Unemployment Assistance (DUA) with an effective date of May 21, 2023.

2. The claimant's full legal name is [Claimant].
3. The claimant possesses a driver's license (license), issued by the Commonwealth of Massachusetts on August 2, 2021, with an expiration date of October 28, 2025.
4. The claimant possesses a United States of America Passport (passport), issued by the United States Department of State, on May 31, 2018, with an expiration date of May 30, 2028.
5. The claimant possesses an unsigned Social Security card, showing a Social Security number of XXX-XX-[XXXX]. The card does not bear an issuance date.
6. The claimant's full legal name is listed on the Social Security card.
7. The name listed on the claimant's Social Security card matches the name listed on the claimant's license and passport.
8. The claimant possesses 2 paystubs, issued to him by a former employer, addressed to the claimant at the address listed on his application for unemployment benefits.

Credibility Assessment:

During the remand hearing, the claimant provided direct and credible evidence that he is the person stated on his application for unemployment benefits. The claimant did so by providing a Massachusetts Driver's License, a United States of America Passport, a Social Security card, and paystubs issued to the claimant by a former employer. The name listed on the claimant's Social Security card matches the name listed on the claimant's license and passport. The address on the claimant's paystubs matches the address listed on the claimant's application for unemployment benefits.

Ruling of the Board

In accordance with our statutory obligation, we review the record and the decision made by the review examiner to determine: (1) whether the consolidated findings are supported by substantial and credible evidence; and (2) whether the review examiner's conclusion is free from error of law. Upon such review, the Board adopts the review examiner's consolidated findings of fact and deems them to be supported by substantial and credible evidence. We further believe that the review examiner's credibility assessment is reasonable in relation to the evidence presented. However, as discussed more fully below, we disagree with the review examiner's original conclusion that the claimant failed to verify his identity.

In order to obtain benefits, the claimant must satisfy the requirement of G.L. c. 151A, § 25(a), which provides, in relevant part, as follows:

No waiting period shall be allowed and no benefits shall be paid to an individual under this chapter for—(a) Any week in which he fails without good cause to comply with the registration and filing requirements of the commissioner.

In this case, the issue presented to the review examiner was whether the claimant could demonstrate that he was the person who filed a claim and not an imposter, who may have borrowed or stolen an identity to fraudulently collect benefits. The claimant appeared virtually before the review examiner. To authenticate his identity, he presented a valid United States Passport and valid Massachusetts driver's license. Consolidated Findings ## 2–4. The review examiner denied benefits because the driver's license presented by the claimant had expired and the address listed on the credit card bill did not match the address on the claimant's driver's license. *See* Consolidated Findings ## 5 and 8. However, on appeal to the Board, the claimant submitted documentation of his Social Security number. Accordingly, we remanded the case for the review examiner to assess this new evidence.

The record now includes Remand Exhibits 5, 6, and 7, color copies of the front and back of the claimant's Social Security card and pay documentation from the claimant's previous employment. *See* Consolidated Findings ## 5–8. The review examiner confirmed that the name on the claimant's Social Security card matches the name on his driver's license and passport. Consolidated Finding # 7. Additionally, the review examiner confirmed that the address on the paystubs provided by the claimant matches the address the claimant used to file his claim for unemployment benefits. Consolidated Finding # 8. As the address on the paystubs and the Social Security number appearing on the claimant's Social Security card both match the identifying information the claimant used to file his claim, we are satisfied that he has met his burden to confirm that he is the person who filed a claim and not an imposter.

We, therefore, conclude as a matter of law that the claimant has produced substantial and credible evidence to verify his identity. He has met the registration and filing requirements for benefits pursuant to G.L. c. 151A, § 25(a).

The review examiner's decision is reversed. The claimant is entitled to receive benefits for the week beginning May 21, 2023, and for subsequent weeks, if otherwise eligible.

**BOSTON, MASSACHUSETTS**  
**DATE OF DECISION - December 22, 2023**



Paul T. Fitzgerald, Esq.  
Chairman



Charlene A. Stawicki, Esq.  
Member

Member Michael J. Albano did not participate in this decision.

**ANY FURTHER APPEAL WOULD BE TO A MASSACHUSETTS  
STATE DISTRICT COURT  
(See Section 42, Chapter 151A, General Laws Enclosed)**

The last day to appeal this decision to a Massachusetts District Court is thirty days from the mail date on the first page of this decision. If that thirtieth day falls on a Saturday, Sunday, or legal holiday, the last day to appeal this decision is the business day next following the thirtieth day.

To locate the nearest Massachusetts District Court, see:  
[www.mass.gov/courts/court-info/courthouses](http://www.mass.gov/courts/court-info/courthouses)

Please be advised that fees for services rendered by an attorney or agent to a claimant in connection with an appeal to the Board of Review are not payable unless submitted to the Board of Review for approval, under G.L. c. 151A, § 37.

LSW/rh