

The claimant has submitted an unexpired Massachusetts Commercial Driver's License and U.S. Passport resembling the person at the hearing and matches the name and address used to file a claim for benefits. He also submitted a valid Social Security card with a name that matches his driver's license and passport and the number on the card matches the number used to file his claim. Held the claimant has now presented substantial credible evidence to verify his identity as required under G.L. c. 151A § 25(a).

**Board of Review
100 Cambridge Street, Suite 400
Boston, MA 02114
Phone: 617-626-6400
Fax: 617-727-5874**

**Paul T. Fitzgerald, Esq.
Chairman
Charlene A. Stawicki, Esq.
Member
Michael J. Albano
Member**

Issue ID: 0084 8067 35

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, effective December 22, 2024, which was denied in a determination issued on January 10, 2025. 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 March 6, 2025. 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 requirements 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 his 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 claimant did not provide substantial documentation to verify his identity because he did not provide any evidence 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 are set forth below in their entirety:

1. On December 30, 2024, the claimant filed his claim for unemployment insurance benefits with the Department of Unemployment Assistance (DUA)

with an effective begin date of December 22, 2024, and an effective end date of December 20, 2025.

2. On January 10, 2025, pursuant to Massachusetts General Laws Chapter 151A, § 25(a), the DUA sent the claimant a Notice of Disqualification determining he failed without good cause to present proper identification, and therefore he did not meet the filing and registration requirements and was not entitled to receive benefits beginning 12/22/2024, and for an indefinite period of time thereafter until he meets the filing and registration requirements.
3. The Social Security Card submitted by the claimant, issued on February 20, 2025, with the name [Claimant], signed by the claimant, matches the name the claimant used to file for benefits ([Claimant]) and matches the Social Security number the claimant used to file his claim for benefits.
4. The United States Passport submitted by the claimant issued on July 10, 2017, with expiration date of July 9, 2027, has the same name and date of birth (January 9, 1965) as the Massachusetts Commercial Driver's License submitted by the claimant issued on January 3, 2024, with an expiration date of January 9, 2029.
5. The individual depicted in the Massachusetts Commercial Driver's License and United States Passport is consistent in appearance to the individual who was viewed virtually.
6. The payment method for unemployment insurance benefits payments, and the name of the bank and last four digits of the bank account number associated with the claimant's payment method identified by the claimant are consistent with DUA records.

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. However, as discussed more fully below, we reject the review examiner's legal conclusion that the claimant is not entitled to benefits.

In order to obtain benefits, the claimant must follow the provisions of G.L. c. 151A, § 25(a), which state, 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. . . .

During the original hearing, the claimant did not have any documents that verified the Social Security number used to file his claim. After remand, the record now includes the claimant's Massachusetts Commercial Driver's License, United States Passport with his photograph, and a valid Social Security card. The information on these documents matches the information used to file this unemployment claim. *See Consolidated Findings ## 3 and 4.* The review examiner also found that the claimant was able to identify the bank, and the last four digits of the bank account number that were used to establish the payment method associated with this claim. *See Consolidated Finding # 6.* Finally, the review examiner found that the picture on the Massachusetts Commercial Driver's License and United States Passport resembled the claimant. *See Consolidated Finding # 5.* As the information on these three documents matches the identifying information the claimant used to file his claim, we are satisfied that he has met his burden to show that he is the person who filed the unemployment 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 December 22, 2024, and for subsequent weeks if otherwise eligible.

BOSTON, MASSACHUSETTS
DATE OF DECISION - June 4, 2025



Charlene A. Stawicki, Esq.
Member



Michael J. Albano
Member

Chairman Paul T. Fitzgerald, Esq. 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

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.

DY/rh