



OVERPAYMENT WAIVER INFORMATION

What is this notice for?

This notice is included in all decisions sent to claimants that include an overpayment to advise claimants they have the right to request a waiver of the non-fraud overpayment.

Why are you receiving this?

You received a decision that established an overpayment on your account. Please note that the overpayment established in the decision may have already been waived. Please read the decision carefully for this information. If the decision includes an employer, you may receive a separate waiver decision within a few days of the overpayment decision.

What you need to know

- You cannot request a waiver until the decision establishing the overpayment becomes final. A decision becomes final when all appeals have been exhausted or when all appeal rights have been exhausted. If you opt to file an appeal to the decision, please do not request a waiver of the overpayment until the appeal is heard and a decision rendered.
- A waiver may be granted for all or a portion of the overpayment established. If your waiver request is denied or partially denied, you have the right to file an appeal to the denial decision.
- A waiver may be granted for all or a portion of the overpayment if the bureau determines you were without fault in the creation of the overpayment and recovery of the overpayment would be against equity and good conscience.
- Please note: If the overpayment was the result of fraud, you cannot be granted a waiver, and 100% of any future benefits will be deducted until the overpayment is repaid in full.
- If you opt not to request a waiver you can pay the amount in full or make payment arrangements with the Department of Labor by calling (207) 621-5154 or by mail at 47D State House Station, Augusta, ME 04333-0047. You will be charged interest on the unpaid balance of your overpayment at 1% per month, starting one year after the overpayment is established.
- For a full explanation of the waiver statute, please consult Title 26 M.R.S.A. §1051. This Law may be amended in the future to provide for different collection methods. Section 1051 can be viewed at the following website <http://www.mainelegislature.org/legis/statutes/26/title26ch13sec0.html>

What are the next steps?

- Carefully review the decision and other documentation mailed to you. You may have already been granted a waiver of the overpayment.
- Go to <https://www.maine.gov/unemployment/owr/> and complete the online waiver request form to submit your formal request for a waiver.
- The bureau will review your request for a waiver and render a decision allowing or denying your request. You will receive a copy of this decision via mail. You will have the right to appeal if you disagree with the decision rendered.

