Claimant

Reemployment Assistance Overpayments
# Table of Contents

I. Overview .................................................................................................................. 3  

II. Frequently Asked Questions .................................................................................... 4

III. Notices .................................................................................................................... 10  
   A. Initial Disqualification ....................................................................................... 10  
   B. Disqualification for Federal Supplemental Benefits ........................................ 14  
   C. Redetermination ............................................................................................... 17

IV. Overpayment Waivers ............................................................................................. 19  
   A. Overpayments for FPUC, LWA and MEUC ...................................................... 19  
   B. Overpayments Previously Paid for the CARES Act and Continued Assistance Act Programs ........................................................................................................ 19

V. Completing a Federal Overpayment Waiver Request Form .................................... 20  
   A. Overpayment Waiver Notices ........................................................................... 24

VI. Filing an Appeal ...................................................................................................... 29  
   A. Notice of Appeal Form ....................................................................................... 30

VII. Repaying an Overpayment .................................................................................... 32  
    A. Reemployment Assistance Benefit Repayment Form ....................................... 33

VIII. Additional Information ......................................................................................... 34
I. Overview:

The Florida Department of Economic Opportunity (DEO) remains committed to Floridians and understands the financial hardships and uncertainty the pandemic has caused for many claimants and their families. DEO recognizes the frustrations surrounding overpayments and is actively working to alleviate the challenges being experienced by claimants. To ease the burden of overpayments on claimants, DEO has requested to indefinitely defer all referrals to collection agencies for all non-fraudulent debts owed by claimants for state Reemployment Assistance benefits owed for weeks beginning March 1, 2020 through September 4, 2021. This request does not apply to fraudulent overpayments and DEO will continue to investigate fraudulent overpayments to ensure individuals and bad actors are held accountable for their fraudulent actions in accordance with the law.

Federal and state law require DEO to issue Notices of Disqualifications that may have overpayments attached. However, DEO understands how confusing and overburdensome these federal and state requirements may be following the economic hardship experienced by claimants throughout the pandemic. DEO continues to take a compassionate approach to helping claimants navigate the many complex federal and state unemployment requirements in law, including federal and state overpayment requirements.

In response, DEO is taking proactive measures to relieve the impact these federal and state requirements may cause. Throughout the life of a claim, there may be instances when claimants receive multiple notices from DEO regarding their eligibility. A claimant’s eligibility is determined at the beginning of the process and for each week of unemployment where benefits are requested by the claimant. However, in some instances, claims may be redetermined throughout the claim lifecycle for each week a claimant collects Reemployment Assistance benefits. These notices may be unfavorable to the claimant and create an overpayment(s) on the claim.

DEO encourages claimants to check their Reemployment Assistance account frequently and take actions on their claim when prompted. In some instances, a claimant may be required to complete additional forms or, at the claimant’s option, file an appeal to ineligible notices to reverse overpayments created on their account.

In accordance with federal guidance and to help claimants navigate the appeal and overpayment processes, DEO created the following guide to assist claimants with understanding eligibility and ineligibility notices that may be issued by the Reemployment Assistance program and why an overpayment may occur as a result of an eligibility determination. This guide provides claimants with frequently asked questions (FAQs) relating to eligibility and ineligibility notices and overpayments. In addition to the FAQs, the following guide also includes information on the options a claimant may take if they receive a Notice of Disqualification with an overpayment.

Within this guide, information on the following Reemployment Assistance topics is available:

- Eligibility and Ineligibility Notices
- Overpayments
- Options available to claimants if they receive a Notice of Disqualification with an overpayment
- Overpayment waiver request form for federal Reemployment Assistance programs
  - Who may be eligible to complete a federal overpayment waiver request form
  - How to complete a federal overpayment waiver request form
- Filing an appeal
II. Frequently Asked Questions:

Q. What are state Reemployment Assistance benefits?

A. Florida currently provides up to 19 weeks (up to 12 weeks for claims filed in 2020) of Reemployment Assistance benefits to eligible workers who are unemployed through no fault of their own, are able and available for work, and actively seeking employment each week they are requesting benefits. The following table displays the state Reemployment Assistance benefits and federal supplemental benefit programs available for eligible claimants who received benefits between March 29, 2020, through June 26, 2021:

<table>
<thead>
<tr>
<th>STATE REEMPLOYMENT ASSISTANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekly Benefit Amount (WBA)</td>
</tr>
<tr>
<td>Maximum $275</td>
</tr>
<tr>
<td>Minimum $32</td>
</tr>
<tr>
<td>$600 (FPUC)</td>
</tr>
<tr>
<td>Weeks Ending April 4 - July 25, 2020</td>
</tr>
<tr>
<td>$300 Federal Pandemic Unemployment Compensation (FPUC)</td>
</tr>
<tr>
<td>Weeks Ending Jan 2 - June 26, 2021</td>
</tr>
<tr>
<td>$300 Lost Wages Assistance (LWA)</td>
</tr>
<tr>
<td>If your WBA is $100 or more and out of work due to COVID-19.</td>
</tr>
<tr>
<td>Weeks Ending Aug 1 - Aug 22, 2020</td>
</tr>
<tr>
<td>$100 Mixed Earners Unemployment Compensation (MEUC)</td>
</tr>
<tr>
<td>An additional $100 may be provided to eligible claimants who are receiving benefits from an eligible Reemployment Assistance program and earned at least $5,000 in net earnings from self-employment.</td>
</tr>
<tr>
<td>Weeks Ending Jan 2 - June 26, 2021</td>
</tr>
</tbody>
</table>

Q. What are federal Reemployment Assistance benefits?

A. Federal Reemployment Assistance benefits are emergency benefits provided by the federal government to individuals whose employment or self-employment has been lost through no fault of their own, and who have exhausted or do not otherwise qualify for state Reemployment Assistance benefits.

The federal Coronavirus, Aid, Relief, and Economic Security Act (CARES Act) was signed into law in March 2020. The CARES Act created the following federal Reemployment Assistance programs:

- Pandemic Unemployment Assistance (PUA)
- Pandemic Emergency Unemployment Compensation (PEUC)

The CARES Act also created the following federal supplemental Reemployment Assistance program:

- Federal Pandemic Unemployment Compensation (FPUC)

On June 7, 2020, Extended Benefits were triggered on for the first time since 2009. Extended Benefits is a federal program implemented by the state. The U.S. Department of Labor uses a state’s unemployment metrics to determine when the state’s Extended Benefits program will begin and end. By law, Extended Benefits become available to claimants when the state’s 13-week insured unemployment rate (IUR) is above 5.0%. Extended Benefits authorizes up to an additional six weeks of benefits to eligible claimants who exhausted Reemployment Assistance benefits during periods of high unemployment. Extended Benefits ended on November 7, 2020, when Florida crossed the threshold of economic recovery that triggered the ending of the Extended Benefits program.
Overpayments issued for the Extended Benefit program are not eligible for an overpayment waiver.

In August of 2020, the President issued a memorandum authorizing the Federal Emergency Management Agency (FEMA) to use the Disaster Relief Fund to provide grants to the states to make supplemental lost wages payments to those receiving at least $100 in weekly Reemployment Assistance benefits and were unemployed as a result of COVID-19. These federal supplemental benefits are referred to as Lost Wages Assistance (LWA). LWA was available to eligible claimants for weeks of unemployment ending August 1, 2020, through the week ending August 22, 2020.

The Continued Assistance for Unemployed Workers Act ("Continued Assistance Act") was then signed into law in December 2020, which extended PUA, PEUC, and FPUC. The Continued Assistance Act also created the federal Mixed Earner Unemployment Compensation (MEUC) program.

Lastly, the American Rescue Plan Act (ARPA Act) of 2021 was signed into law in March 2021, further extending federal Reemployment Assistance benefits (PUA, PEUC, FPUC, and MEUC) to September 6, 2021. The following tables display the federal Reemployment Assistance programs, as mentioned above, that were available to claimants that exhausted or were not eligible for state Reemployment Assistance benefits, along with the federal supplemental benefit programs:

Florida ended its participation in the FPUC and MEUC programs, effective June 26, 2021, as part of DEO’s ‘Return to Work’ initiative. The PEUC and PUA benefit programs were available through the week ending September 4, 2021. DEO has continuously worked to implement the revisions.
and updates to the Federal CARES Act with guidance that is released from the U.S. Department of Labor on a rolling basis.

Q. What are eligibility determinations and how do they affect a Reemployment Assistance claim?

A. Anytime a claimant files a new claim application and/or requests benefits, the possibility exists for an "issue" to be created on the claim. Any time a claim "issue" is created, the claim must be adjudicated to determine the most appropriate resolution for the claim. Issues are created any time information provided on a claim conflicts with either the eligibility requirements of the Reemployment Assistance program or if the information provided by the claimant conflicts with the employer’s information. Each issue created equates to one notice. If the claimant has multiple issues on their claim, they will receive multiple notices.

When DEO receives information regarding a claim, the claim is assigned to staff for review. After the review process, a written notice will be available electronically and/or by mail to explain the claimant’s eligibility status. Notices may be eligible notices (i.e., Notice of Approval) or ineligible notices (i.e., Notice of Disqualification) based on the information provided to DEO. Please see the examples starting on page 10 of each notice.

Q. What are Reemployment Assistance overpayments?

A. State and federal Reemployment Assistance overpayments occur when claimants receive benefits they were not eligible to receive due to a variety of factors. Overpayments may be created as a result of an ineligibility notice.

When DEO determines an overpayment has occurred on a Reemployment Assistance claim because a claimant is determined ineligible, a Notice of Disqualification will be distributed based on the claimant’s correspondence preference. The Notice of Disqualification will state the claimant has an overpayment and the amount the claimant must repay. If the claimant disagrees with the Notice of Disqualification, the claimant has the right to appeal the Notice of Disqualification. Please see the example of a Notice of Disqualification with an overpayment attached on page 10. Fraudulent overpayments should not be confused with fraudulent activity or identity theft. Please see the definitions below for further clarification.

- **Fraud**: Withholding or giving false information to obtain benefits is a serious offense that can result in penalties and criminal prosecution. If DEO finds that a claimant received benefits, they should not have received for one or more of the following reasons, the overpayment is considered fraud:
  - intentionally gave false information; or
  - withheld information; or
  - knowingly failed to disclose a material fact.

With a fraudulent overpayment, a claimant will receive a penalty equal to 15% of the total overpayment amount. Additionally, a claimant will be disqualified from receiving Reemployment Assistance benefits for up to one year and must repay fraudulent overpayments and penalties before the claimant may be eligible to receive additional/future benefits.

- **Non-Fraudulent**: If the claimant received benefits they were not eligible for and the overpayment was not their fault, the overpayment is considered non-fraudulent.
Florida law requires DEO to recover all state Reemployment Assistance benefits overpayments. Claimants who have an overpayment on eligible federal Reemployment Assistance programs (PUA, PEUC, LWA, FPUC, and MEUC) may have the option to complete an overpayment waiver request form to have the overpayment waived.

Q. Why are overpayments issued?

A. An overpayment may be issued when a claimant is paid state and/or federal Reemployment Assistance benefits and they were not eligible to receive the benefits.

Reasons why a claimant may receive any overpayment may include, but are not limited to the following:

- If a claimant did not report earnings or reported incorrect earnings while requesting and receiving benefit payments.
- If a correction is made to the monetary determination because the wage history used to establish the claim was inaccurate, it may result in a lower weekly benefit amount than initially determined.
- If a claimant provided incorrect or false information about a job separation or work search when applying for benefits or requesting benefit payment.
- If an appeal decision changes the claimant’s eligibility to ineligible after DEO previously paid benefits to the claimant.
- If there is Reemployment Assistance fraud. Reemployment Assistance Fraud occurs when an individual is collecting Reemployment Assistance benefits when they are not eligible for benefits. Reemployment Assistance Fraud is recognized when a claimant:
  - Returned to work but is stating that they are still unemployed and collecting benefits.
  - Was incarcerated during the weeks they requested and received Reemployment Assistance benefits.
  - Made false statements that may alter or increase benefits.
  - Withheld information that may alter or increase benefits.
  - Failed to report earnings in order to obtain or increase benefits.
  - Knowingly provided inaccurate and incorrect information on their application to receive Reemployment Assistance benefits.

Additionally, the pandemic created financial obstacles for many claimants, which caused millions to file claims for Reemployment Assistance benefits. During the height of the pandemic, DEO’s number one priority was to ensure claimants received their benefits on a timely basis, and DEO focused on reducing red tape to speed up that process. As result of providing this swift response, many claimants received overpayments from DEO.

Q. What options are available if an overpayment is established?

A. Claimants may have the following options, if an overpayment is established on their claim.

Complete an Overpayment Waiver Request Form - Reemployment Assistance claimants who are eligible to submit an overpayment waiver request form can refer to the detailed instructions on pages 19-29. The overpayment waiver request form is only available for PUA, PEUC, FPUC, MEUC, and LWA overpayments. The overpayment waiver request form asks claimants specific
questions to determine if the overpayment was due to no fault of the claimant and if recovery of the overpayment would be contrary to “equity and good conscience.”

File an Appeal – Reemployment Assistance claimants who do not receive an overpayment waiver, or who wish to appeal an overpayment, should follow the instructions on page 30. All claimants who receive an ineligibility notice have the right to appeal.

Repay an Overpayment – Reemployment Assistance claimants who need to repay an overpayment should follow instructions on page 33.

Q. What is an overpayment waiver?

A. The CARES Act and the Continued Assistance Act authorized and provided states the option to waive federal overpayments issued to claimants under the federal pandemic programs. DEO recognized the hardships many Floridians faced throughout this unprecedented time. DEO opted to provide federal overpayment waivers for eligible claimants who meet specific criteria outlined in federal law and guidance.

Claimants may be eligible if they received the following federal Reemployment Assistance benefits:

- Pandemic Unemployment Assistance (PUA)
- Pandemic Emergency Unemployment Compensation (PEUC)
- Federal Pandemic Unemployment Compensation (FPUC)
- Mixed Earner Unemployment Compensation (MEUC)
- Lost Wages Assistance (LWA)
- First week of state Reemployment Assistance that is reimbursed in accordance with Section 2105 of the CARES Act (Waiting Week)

According to federal guidance, to qualify for a federal overpayment waiver, eligible claimants must meet the following criteria:

- The claimant must not be at fault for the creation of the overpayment, meaning they did not cause or contribute to the reason for the overpayment; and
- Recovery of the overpayment would be contrary to “equity and good conscience.”

To meet the first eligibility criteria for an overpayment waiver, the claimant must have received the overpayment to no fault of their own. This means that if a claimant knowingly provided false information or failed to provide information in order to receive benefit payments, they are not eligible for an overpayment waiver. Other considerations for finding fault may include, but are not limited to:

- Whether the payment resulted from the claimant’s incorrect, but not necessarily fraudulent, statement which he or she should have known to be incorrect;
- Whether payment resulted from the claimant’s failure to disclose essential facts in his or her possession, which he or she should have known to be material; or
- Whether the claimant accepted a payment that he or she knew or should have known to be made in error.
Requiring repayment of an overpayment will be considered "contrary to equity and good conscience" if:

- It would cause financial hardship to the claimant; or
- Regardless of the claimant's financial circumstances, the claimant can show that, based on the overpayment or notice that a benefit payment would be made, the claimant has:
  - Relinquished a valuable right, or
  - Changed positions for the worse; or
- Recovery could be considered unconscionable under the circumstances.

Overpayments for state Reemployment Assistance benefits or Extended Benefits are not eligible for the federal overpayment waiver. Overpayments that have been classified as fraudulent are also not eligible for the waiver. If a claimant has received an overpayment for state Reemployment Assistance benefits, they have the right to appeal the Notice of Disqualification.
III. Notices

The following documents are examples of notices that may be distributed to claimants who have been determined eligible or ineligible to receive benefits after DEO reviewed the claimant’s eligibility.

A. Initial Notice of Disqualification with an overpayment attached:

The following document is an example of a notice issued to a claimant who has been determined ineligible to receive benefits after DEO reviewed the claimant’s eligibility. The determination resulted in an overpayment on the claimant’s account for benefits previously received.

NOTE: The “Issue Identification Number” is an important number and a unique identifier provided in all eligibility notices. You will need this number if you want to submit a federal overpayment waiver request or file an appeal.

1- “Reasonings & Findings” – Explains the “issue” that created the overpayment on the account.

2- “Additional Reasonings & Findings” – Further explains the “issue” that created the overpayment on the account.

3- “Applicable Section of Law” – Directs the claimant to the applicable Florida Statute that determines why the claimant is ineligible to receive benefits.

4- “Effect of this Determination” – Further explains the outcome of the disqualification.
The following example details the amount of overpaid benefits for weeks associated with the *issue* listed above in the “Reasonings and Findings.”

Claimants may receive multiple overpayments for the same *issue* created on their account.

DEO may provide overpayment waiver request forms for federal benefits, and claimants also have the right to appeal any *Notice of Disqualification*.

Claimants should also check their CONNECT account for any actions that may be needed to have the overpayment reconsidered.
Claimants have the right to appeal any Notice of Disqualification.

If a claimant would like to appeal the Notice of Disqualification, they should follow the steps provided in the “Appeal Rights” section of the disqualification notice.
DWA APFL

Determine your own appeal rights.

A. Notify the beneficiary/recipient.
B. If the overpayment is disputed, you must notify the recipient in writing within 20 days of
   receipt of the notice of overpayment. The notice of overpayment must state the
   amount of the overpayment, the date of the overpayment, and the reason for the
   overpayment. The notice of overpayment must be mailed to the recipient’s
domicile or the recipient may elect to receive the notice of overpayment by
   electronic means. The notice of overpayment must be received by the recipient
   within 20 days of the mailing date. The notice of overpayment must be signed
   by the recipient or an authorized representative of the recipient.

C. If the overpayment is not disputed, the recipient must return the
   overpayment within 20 days of receipt of the notice of overpayment.

D. If the overpayment is not disputed and the recipient does not return
   the overpayment within 20 days of receipt of the notice of overpayment,
   the recipient may be subject to civil penalties.

E. If the overpayment is disputed, the recipient may dispute the
   overpayment by filing an appeal with the Division of Administrative Law
   within 20 days of receipt of the notice of overpayment.

F. The Division of Administrative Law will review the appeal and issue a
   determination. The recipient may appeal the determination to the
   Courts of Appeals or the Supreme Court of Florida.

G. If the overpayment is disputed and the recipient appeals the
   determination, the recipient may continue to receive the
   benefits while the appeal is pending.

H. If the overpayment is not disputed and the recipient does not
   return the overpayment, the recipient may be subject to civil penalties.

I. If the overpayment is disputed and the recipient does not appeal the
   determination, the recipient may be subject to civil penalties.

J. If the overpayment is disputed and the recipient appeals the
   determination but does not win the appeal, the recipient may be subject to civil
   penalties.

K. If the overpayment is not disputed and the recipient does not return
   the overpayment, the recipient may be subject to civil penalties.

L. If the overpayment is disputed and the recipient appeals the
   determination but does not win the appeal, the recipient may be subject to civil
   penalties.

M. If the overpayment is not disputed and the recipient does not return
   the overpayment, the recipient may be subject to civil penalties.

N. If the overpayment is disputed and the recipient appeals the
   determination but does not win the appeal, the recipient may be subject to civil
   penalties.

O. If the overpayment is not disputed and the recipient does not return
   the overpayment, the recipient may be subject to civil penalties.

P. If the overpayment is disputed and the recipient appeals the
   determination but does not win the appeal, the recipient may be subject to civil
   penalties.

Q. If the overpayment is not disputed and the recipient does not return
   the overpayment, the recipient may be subject to civil penalties.

R. If the overpayment is disputed and the recipient appeals the
   determination but does not win the appeal, the recipient may be subject to civil
   penalties.

S. If the overpayment is not disputed and the recipient does not return
   the overpayment, the recipient may be subject to civil penalties.

T. If the overpayment is disputed and the recipient appeals the
   determination but does not win the appeal, the recipient may be subject to civil
   penalties.

U. If the overpayment is not disputed and the recipient does not return
   the overpayment, the recipient may be subject to civil penalties.

V. If the overpayment is disputed and the recipient appeals the
   determination but does not win the appeal, the recipient may be subject to civil
   penalties.

W. If the overpayment is not disputed and the recipient does not return
   the overpayment, the recipient may be subject to civil penalties.

X. If the overpayment is disputed and the recipient appeals the
   determination but does not win the appeal, the recipient may be subject to civil
   penalties.

Y. If the overpayment is not disputed and the recipient does not return
   the overpayment, the recipient may be subject to civil penalties.

Z. If the overpayment is disputed and the recipient appeals the
   determination but does not win the appeal, the recipient may be subject to civil
   penalties.

AA. If the overpayment is not disputed and the recipient does not return
   the overpayment, the recipient may be subject to civil penalties.

BB. If the overpayment is disputed and the recipient appeals the
   determination but does not win the appeal, the recipient may be subject to civil
   penalties.

CC. If the overpayment is not disputed and the recipient does not return
   the overpayment, the recipient may be subject to civil penalties.
B. Notice of Disqualification for Federal Supplemental Benefits:

DEO began issuing *Notices of Disqualifications* for both state and federal weekly benefit payments (state Reemployment Assistance PEUC, PUA, EB) 4/18/2021.

This *Notice of Disqualification* provides the federal supplemental benefit (FPUC, LWA, MECU) overpayments associated with the same weeks of the weekly benefit payments previously issued.

In the “Reasonings and Findings,” claimants will see the Issue Identification Number associated with the initial *Notice of Disqualification* for the same weeks of unemployment.
The following example details the amount of overpaid supplemental benefits for weeks associated with the issue listed above in the “Reasonings and Findings.”

Claimants may receive multiple overpayments for the same issue created on their account.

DEO may provide overpayment waiver forms for federal benefits, and claimants also have the right to appeal any Notice of Disqualification.

Claimants should also check their CONNECT account for any actions that may be needed to have the overpayment reconsidered.
Version Date: October 18, 2021
C. Redetermination Notice:

The following example is a Notice of Approval based on DEO’s redetermination of a Notice of Disqualification.

DEO issues a Notice of Approval for any issue that has been redetermined as favorable for the claimant.
APPEAL RIGHTS

This determination will be final unless an appeal is filed within 20 calendar days
After the distribution/insured date shown above. If the 20th day is a Saturday, Sunday
Or holiday as defined in F.A.C. 120-3.005(2), an appeal may be filed on the next business
day that is not a Saturday, Sunday, or holiday.

To file an appeal, you may file:

- Online at connect.myflorida.com
- Mail to: RA appeals, P.O. Box 5290 Tallahassee, FL 32304-5290
- Or fax to (850) 417-6504

Include the claimant's name and the last four digits of the social security number.

If filed on-line, the confirmation date is the filing date. If mailed, the postmark date is the filing date. If faxed, the
date stamped received is the filing date. Call (888) 204-2415 with any questions about this claim or filing an appeal.

If unemployed, you must continue reporting on your claim until all redeterminations/appeals are resolved.

DERECHOS DE APELACION

Esta determinación será definitiva a menos que se presente una apelación dentro de
Los 20 días calendario luego de la fecha de distribución/insured incluido el
Día que no es sábado, domingo o festivo.

Según se define en F.A.C. 120-3.005(2), un apelación podrá presentarse el día hábil
Incluso el número de seguro social del reclamante.

La apelación puede presentarse:

- En línea en connect.myflorida.com
- Por correo postal a RA appeals, P.O. Box 5290 Tallahassee, FL 32304-5290
- O por fax al (850) 417-6504

Incluya el nombre y número de seguro social del reclamante.

Si se presenta en línea, el día de confirmación es la fecha de presentación. Si se envía por correo postal, la fecha
Del manuscrito es la fecha de presentación. Si se envía por fax, la fecha del
Sello de recibido es la fecha de presentación. Llame al (888) 204-2415 si tiene alguna
Pregunta sobre esta apelación o sobre cómo presentar una apelación.

Si está desempleado, debe continuar reportando en base a un reclamo hasta que
Todo el proceso de determinaciones/apelaciones se resuelva.

DWA APEL

Desestime esta apelación si se denota que el pago no fue correcto.

Por favor, solicite una apelación por correo en

- P.O. Box 5290 Tallahassee, FL 32304-5290
- O por fax al (850) 417-6504

Déme un número de seguro social válido si está en apelación.

Si el pago fue incorrecto, déme un número de seguro social válido si está en apelación.

Por favor, solicite una apelación por correo en

- P.O. Box 5290 Tallahassee, FL 32304-5290
- O por fax al (850) 417-6504

Déme un número de seguro social válido si está en apelación.
IV. Overpayment Waivers

Claimants who are eligible to submit a federal overpayment waiver request form will receive a notice, by their preferred method of communication, that the overpayment waiver request form is available in their Reemployment Assistance account inbox and/or through U.S. mail. Claimants must complete an overpayment waiver request form for each Notice of Disqualification with an overpayment attached. Claimants will receive a Notice of Disqualification with an overpayment for the supplemental benefits which include, LWA, FPUC, and MEUC for the same weeks in which they received state Reemployment Assistance, Extended Benefits, PUA, PEUC, DUA, Short Time Compensation, or Trade Readjustment Allowance.

Overpayments for FPUC, LWA, and MEUC

Claimants who received a Notice of Disqualification with an overpayment for any underlying state or federal Reemployment Assistance program (i.e., state Reemployment Assistance, Extended Benefits, PUA, PEUC, DUA, Short Time Compensation, or Trade Readjustment Allowance) will also receive an overpayment notice for the same weeks for the supplemental benefits paid for FPUC, MEUC, and/or LWA. This means claimants will have to submit multiple federal overpayment waiver request forms for multiple programs for the same weeks of unemployment.

- FPUC benefit payments in the amount of $600 were provided to eligible claimants for the weeks of unemployment between March 29, 2020 through the week ending July 25, 2020.
- FPUC benefit payments in the amount of $300 were provided to eligible claimants for the weeks of unemployment between the week ending December 27, 2020 through the week ending June 26, 2021.
- LWA benefit payments in the amount of $300 were provided to eligible claimants for the weeks of unemployment ending August 1, 2020 through the week ending August 22, 2020.
- MEUC benefit payments in the amount of $100 were provided to eligible claimants for the weeks of unemployment ending December 27, 2020 through the week ending June 26, 2021.

NOTE: Claimants who are eligible to complete a federal overpayment waiver request form must submit a waiver request form for each federal overpayment received. For example, if a claimant receives a Notice of Disqualification with an overpayment for weeks of unemployment where the claimant received PUA benefits, the claimant will receive an additional notice for the same weeks of unemployment, but the additional notice will only show overpayments for FPUC and/or LWA, as applicable.

Overpayments Previously Paid for the CARES Act and Continued Assistance Act Programs

A claimant may be eligible to complete a federal overpayment waiver request form if they received a notice that included an overpayment of benefits from one or more of the CARES Act or Continued Assistance Act programs (FPUC, PUA, PEUC, or MEUC) and it was determined the claimant was not at fault for creating the overpayment and it would be contrary to “equity and good conscious” to recover the overpayment. This is this case whether or not the claimant has already repaid the overpayment. Claimants approved for an overpayment waiver will be refunded any payments made toward their eligible federal overpayment.
V. Completing a Federal Overpayment Waiver Request Form:

There are multiple ways to access and complete the Overpayment Waiver request form, which include the claimant homepage, claimant inbox, and U.S. mail. Please follow the steps below to access the Overpayment Waiver request form the claimant homepage.

1. Visit FloridaJobs.org and select “Claimants” in the top right hand corner or click here to access the Reemployment Assistance account.

2. If you have not accessed your Reemployment Assistance account since September 2, 2021, please review the Guide for Accessing Your Reemployment Assistance Account.

3. Once you access your Reemployment Assistance account, review the “Important Items That Need Your Immediate Attention,” select “here” on the claimant homepage.
4. Next, you will see any outstanding federal overpayment waiver requests available in your account. Select "Open" to review and complete each of the federal overpayment waiver request presented.

5. Complete the following Overpayment Waiver request form. Once you have answered all the questions, select “Submit”.

---

**Guide for Overpayments**

**Version Date:** October 18, 2021

**Page 21**
Federal Overpayment Waiver Request Form:

Below is an example of the federal overpayment waiver request form distributed to Reemployment Assistance claimants who have a correspondence preference of U.S. Mail. Claimants who receive the form by mail have the option to respond by mail or within their Reemployment Assistance account. Please refer to the page 21 for steps to submit a federal overpayment waiver request form online.

<table>
<thead>
<tr>
<th>Claimant First and Last Name</th>
<th>Mail Date of Fact-Finding Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>Claimant ID</td>
<td></td>
</tr>
<tr>
<td>Claim ID associated with the Determination that lists the overpayment for which the waiver is requested</td>
<td></td>
</tr>
<tr>
<td>Mail or distribution date on the Determination that lists the overpayment for which you are requesting a waiver</td>
<td></td>
</tr>
</tbody>
</table>

The following information is needed to determine your eligibility to potentially waive the overpayment on your claim referenced above. To request to waive the overpayment, you must complete the following questions and submit your responses by the deadline provided above. Once completed, your application will be processed, and you will receive a determination about your eligibility for waiver of the overpayment. Please allow time for the Department to process your request.

1. What is the date you first became aware of this overpayment? [ ] Yes [ ] No
2. Did you file an appeal with the Department to challenge the overpayment? [ ] Yes [ ] No
3. (If you answered yes to question 2) If you filed an appeal to the determination establishing the overpayment, have you received a decision from an Appeals Referee? [ ] Yes [ ] No
4. Has your appeal deadline passed for the determination establishing the overpayment? [ ] Yes [ ] No
5. Have you made any payments toward the overpayment? [ ] Yes [ ] No
6. If yes, how much has been paid and on what dates?

**WAIVER QUESTIONS**

1. Did you knowingly provide false information or fail to provide information in order to receive benefit payments? [ ] Yes [ ] No
2. Did you fail to respond to requests for information or fact-finding to the Department? [ ] Yes [ ] No
3. Did you respond to all fact-finding requests or other requests for information as requested by the Department? [ ] Yes [ ] No
4. Did you leave out any information when completing your responses to the Department? [ ] Yes [ ] No
5. When you received the benefit payment, did you know they were issued in error? [ ] Yes [ ] No
6. Did you know that you should not have received those benefits? [ ] Yes [ ] No
7. A. Would having to repay this overpayment cause a significant financial hardship for you? [ ] Yes [ ] No
   B. Do you need all of your current income to meet your current ordinary and necessary living expenses? (i.e. rent/mortgage, food, insurance, and utilities) [ ] Yes [ ] No
8. A. I was provided a Notice of Eligibility or Notice of Approval from the Department for the benefits I was paid, and I reasonably believed I was eligible to receive the payments provided. I did not take action to repay the benefits because of the Notice of Eligibility or Approval. [ ] Yes [ ] No
   B. If you relied on the information in the Notice of Eligibility or Notice of Approval, would repaying these benefits significantly change your economic position? [ ] Yes [ ] No
   C. Even though you relied on the information in the Notice of Eligibility or Notice of Approval, did you suspect the payments were made in error? [ ] Yes [ ] No
9. Did you receive the Department’s correspondence notifying you of the overpayment associated with your claim several weeks after you received your benefit payment? [ ] Yes [ ] No

If your request for an overpayment waiver is denied you may still request an adjustment to the repayment schedule if it would cause you a financial hardship.
6. After completing the Overpayment Waiver request form, you will be redirected to the claimant home screen. Follow steps 3-5 to complete any additional federal overpayment waiver request forms.

Once the completed form(s) has been reviewed by DEO staff and the claimant’s eligibility is determined, a notice will be distributed either approving or denying the overpayment waiver request. Please allow DEO sufficient time for processing your completed waiver and issuing a notice of approval or denial based on the answers provided. Please see the examples starting on page 25.
A. Notice of Approval for a Federal Overpayment Waiver:

The following example is a Notice of Approval based on the claimant's request, completion, and review of the federal overpayment waiver request.
APPEAL RIGHTS

This determination will be final unless an appeal is filed within 20 calendar days.

After the distrubution is made, a request for an appeal may be made in writing or by email.

If you do not receive your final determination, you may file an appeal.

To file an appeal, you must:

- Mail the appeal to the office of the Department of Business Services, P.O. Box 1500, Tallahassee, FL 32302.
- Include the claimant’s name and the last four digits of the social security number.
- Include the claimant’s name and the last four digits of the social security number.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.

If the appeal is filed, the confirmation date is the filing date. If the appeal is filed electronically, the date stamped received is the filing date.
B. Overpayment Waiver Notice of Disqualification:

The following example is a Notice of Disqualification based on the claimant’s request, completion, and review of the federal overpayment waiver.

The claimant requested that their federal overpayment be waived, and DEO determined that they were ineligible for the waiver.

If the claimant disagrees with the Notice of Disqualification, the claimant has the right to appeal. For more information on claimant appeal rights, view the Appeal Rights section at the bottom of the Notice of Disqualification.

After the claimant has exhausted all appeal rights and the overpayment waiver appeal is still denied, the claimant will be responsible for repaying the overpaid benefits.
Below is a table detailing the amount of any overpayment for weeks that occur from 05/30/2021 through 10/01/2021. This determination might have caused an overpayment during this time period. In order to preserve your right to appeal, you must contest all determinations you dispute in accordance with the Appeal Rights included.

You are overpaid for the week(s) below in the amount(s) indicated:

<table>
<thead>
<tr>
<th>Determination Date</th>
<th>Program associated with overpayment</th>
<th>Overpayment Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>07/13/2021</td>
<td>Pandemic EUC</td>
<td>$70.00</td>
</tr>
</tbody>
</table>

Failure to repay this overpayment may result in court action or a referral to a collection agency. In either case, additional fees will be added to the original overpayment amount and your credit rating may be affected.

If you have any questions about this notice, please visit the Reemployment Assistance Help Center located at FloridaHires.org/RAHelpCenter.

**APPEAL RIGHTS**

This determination will be final unless an appeal is filed within 20 calendar days after the distribution mailed date shown above. If the 20th day is a Saturday, Sunday, or holiday as defined in Fl. A.C. 73B-20.005(1), an appeal may be filed on the next business day that is not a Saturday, Sunday or holiday.

To file an appeal, you may file:
- Online at connect.myflorida.com or Mail to the appeals PO box 5250 Tallahassee, FL 32311-5250;
- On fax to (904) 417-8094.

Include the claimant's name and the last four digits of the social security number.

If filed on-line, the confirmation date is the filing date. If mailed, the postmark date is the filing date. If faxed, the date stamped received is the filing date. Call (888) 204-2415 with any questions about this claim or filing an appeal.

If unemployed, you must continue reporting on your claim until all redeetermination/appeals are resolved.

**DERECHOS DE APELACION**

Esta determinación será definitiva a menos que se presente una apelación dentro de los 20 días calendario luego de las fechas de distribución/vera postal indicadas en la Parte superior. Si el veinteavo día (20) es sábado, domingo o festivo, la apelación debe ser presentada el día hábil siguiente que no sea sábado, domingo o festivo.

La apelación puede presentarse:
- En línea en connect.myflorida.com
- Por correo postal a RA appeals, PO box 5250 Tallahassee, FL 32311-5250;
- O por fax al (904) 417-8094.

Incluya el nombre y el apellido y los últimos cuatro dígitos del número de seguro social del reclamante.

Si se presenta en línea, la fecha de confirmación es la fecha de presentación. Si se envía por correo postal, la fecha del manifiesto es la fecha de presentación. Si se envía por fax, la fecha del sello de recibido es la fecha de presentación. Llame al (888) 204-2415 si tiene alguna pregunta sobre esta reclamación o sobre cómo presentar una apelación.

Si está desempleado, debe continuar reportando su base en su reclamo hasta que Todas las necesarias determinaciones/apelaciones se resuelvan.

**DWA APÉL**

Determinación en un plazo definido si no es depósito en apíl no expirar 20 días a partir...
VI. Filing an Appeal:

There are multiple ways for a claimant to review eligible and ineligible determinations, which include the claimant’s inbox, through U.S. mail, and in the Determination, Pending Issue and Decision Summary section in the claimant’s Reemployment Assistance account.

If the claimant was determined to be ineligible to receive benefits, the issued Notice of Disqualification will provide the reason why the claimant is ineligible, the law that defines the ineligibility, if an overpayment has been established, and the amount the claimant must repay.

If a claimant disagrees with any ineligibility notice issued on their Reemployment Assistance claim, they have the right to file an appeal. All requests for an appeal hearing should be filed within 20 calendar days after the distribution date provided on the notice. If the 20th day falls on a Saturday, Sunday, or legal holiday, the appeal may be filed on the next business day. Claimants may submit a request for an appeal by:

- Selecting the issue identification number from their “Determination, Pending Issues, and Decision Summary” screen, located in their Reemployment Assistance account.
- Faxing the following Notice of Appeal form to the Appeals Clerk’s Office at 850-617-6504. The Notice of Appeal can be found on page 31.
- Mailing the Notice of Appeal form to:
  
  The Florida Department of Economic Opportunity
  Office of Appeals
  PO Box 5250
  Tallahassee, FL 32399

If there are any additional questions about filing an appeal or a pending appeal request, please visit the Reemployment Assistance Help Center at FloridaJobs.org/RAHelpCenter.
OFFICE OF APPEALS
NOTICE OF APPEAL

This form may be used to appeal an adjudication examiner’s determination. The preferred method for filing the appeal to your determination is via CONNECT (located through flowjobs.org). This form is not intended for use in filing an appeal with a District Court of Appeal.

NOTICE TO CLAIMANTS: You must continue claiming, even if you have been denied benefits; otherwise, additional benefits may not be paid. Direct all questions about your claim to (800) 264-2418.

COMPLETE THE FOLLOWING INFORMATION:

Claimant Name: ___________________________ Telephone: ___________________________
Address: __________________________________ State: __________ Zip: __________
City: ___________________________ Last four digits of Claimant’s Social Security Number: __________

Employer Name (if applicable): ___________________________ Telephone: ___________________________
Employer Account Number (if known): ___________________________
Employer Address: __________________________________ State: __________ Zip: __________
City: ___________________________ Telephone: ___________________________
Employer Contact Person: ___________________________ Telephone: ___________________________

REPRESENTATIVE – If you are filing on behalf of a party, provide the following:
Name of Representative: ___________________________ Telephone: ___________________________
Address: __________________________________ State: __________ Zip: __________
City: ___________________________ Telephone: ___________________________
Contact Person: ___________________________ Telephone: ___________________________

APPEAL HEARING STATEMENT AND REQUEST FOR HEARING

I AM APPEALING THE DETERMINATION DATED ___________. The issue identification number on the determination is ___________. (Attach copy if available.) Appeals must be filed within 20 calendar days of the determination date. If not, state the reason for late filing. If mailed, the date of filing will be based on the postmark date; if faxed, the date the filing will be the date recorded on the document by the Department or Commission fax system; if emailed, the date of filing will be when sent, as recorded in the email; if submitted in CONNECT, the date of filing will be the CONNECT received date; and if delivered in person, the date of filing will be the date of hand delivery.

I disagree with the determination because:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

(if applicable) My appeal is filed late because:

________________________________________________________________________

________________________________________________________________________

TRANSLATION

I need an interpreter. Specify language: ______________________________________

Or

I do not need an interpreter.

WITNESSES
Do you expect to call witnesses to testify at the hearing? YES / NO (circle one)

Will subpoenas be requested for any witness? YES / NO (circle one)

III. REPRESENTATION

Will you be representing yourself at the hearing? YES / NO (circle one)

If you selected no, list the name and phone number for your authorized representative.

<table>
<thead>
<tr>
<th>Representative Name</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

IV. EXHIBITS

Do you have any documents or exhibits that you intend to use at the hearing? YES / NO (circle one)

If yes, it is your responsibility to submit documents or exhibits in accordance with the instructions, which will be provided on your Notice of Appeal Hearing.

Signature: ___________________________ Print Name: ___________________________ Date: ___________________________

I am ( ) the claimant; ( ) the claimant’s representative; ( ) the employer; ( ) the employer’s representative

EMAIL THIS FORM TO: RA.AppealsClerks@deo.myflorida.com

or

MAIL OR FAX THIS FORM TO:

DEO Office of Appeals
PO Box 5250
Tallahassee, FL 32309
Fax: (850) 617-6804

FOR IN PERSON OR COURIER SERVICE SEND TO:

DEO Office of Appeals
MSC 347
107 E. Madison Street
Tallahassee, FL 32309

*PRIVACY ACT STATEMENT

Information you provide to this department is voluntary and confidential but is required to process your claim. Pursuant to the Internal Revenue Code of 1986, the Social Security Act, 42 U.S.C. 1320b-7(a), and § 443.061(1)(b), F.S., disclosure of your Social Security number is mandatory. Social Security numbers will be used by the department to report the benefits you receive to the Internal Revenue Service as potential taxable income. In accordance with the Federal Deficit Reduction Act, an amendment to the Federal Social Security Act, and 5 U.S.C. § 552a(e)(3)(C), information you provide is subject to verification through computer matching programs and information about your wages and claim may be provided to other federal, state and local agencies or their contractors for verification of eligibility under other government programs to ensure benefits have been properly paid and for statistical and research purposes.

An equal opportunity employer, program. Auxiliary aids and services are available upon request to individuals with disabilities.

Form: Notice of Appeal
Form #: DFO – A100(E) (11/11)
Rule: 5B-20.003, F.A.C.
VII. Repaying an Overpayment:

If a claimant is not eligible to receive an overpayment waiver or their request to waive their overpayment is denied, and the appeal decision affirms the overpayment, they must repay the overpayment.

Reemployment Assistance claimants have the option to pay back overpayments in two ways:

2. **Check or Money Order Payments** – Claimants can write a check or money order payable to the *Florida Department of Economic Opportunity* and include their Reemployment Assistance claimant ID in the memo line. An overpayment repayment form is also available to include with the check or money order. The overpayment repayment form can be found on page 34. This should be mailed to:

   Florida Department of Economic Opportunity  
   Benefit Payment Control  
   P.O. Drawer 5050  
   Tallahassee, FL 32314-5050

3. **Credit or Debit Card Payments** – Claimants can also repay an overpayment online by debit or credit card. Please visit FloridaJobs.org/RAHelpCenter and follow the directions to repay the overpayment online.

DEO will work diligently to process all repayments received. If you repaid your overpayment online by debit or credit card, you will receive a confirmation message that you should print for your records. Visit FloridaJobs.org for additional information about overpayments or additional resources, to help answer questions about your account. The DEO Reemployment Assistance Customer Service Center can also be contacted at **1-833-FL-APPLY** (1-833-352-7759).
Reemployment Assistance Repayment Form

Please complete the following form accurately to ensure your repayment is applied to the appropriate Reemployment Assistance account. This form should be attached to all check or money order repayments sent by U.S. Mail. Please do not mail cash for the repayment. Claimants may also make a repayment towards an overpayment by visiting Florida.jobs.org/RAHelpCenter.

All checks and money orders must be made payable to Unemployment Compensation Trust Fund and mailed to:
Benefit Payment Control
P.O. Drawer 5050
Tallahassee, FL 32314-5050

Please cut along the dotted lines and enclose the form with your repayment.

| First Name: | Issue Identification Number: |
| Last Name: | Overpayment Amount: |
| Telephone Number: | 
| Email Address: | Repayment Amount: |
| Last 5 of SSN: | Money Order Number: |
| Claimant ID: | Check Number: |

**Refund Policy**
Refunds are not permitted on the repayment of overpaid benefits. You may repay your overpayment by check or with your Visa, MasterCard, or Discover credit card.

**Privacy Policy**
We are committed to ensuring your privacy and the security of your information. The Department of Economic Opportunity does not maintain credit card information on our server. All credit card activity is handled by Bank of America CyberSource through a secure external web site. It is our policy not to collect personal information about you when you visit our website unless you specifically choose to make such information available to us. If you choose to share personal information by sending a message or filling out an electronic form, please be aware that under Florida law email addresses are public records. We must save it for a designated period of time to comply with the State of Florida’s archiving policies. The information will not be disclosed to third parties or other government agencies unless required by state or federal law. Florida’s public records law requires that all information received in connection with state business be made available to anyone upon request unless the information is subject to a specific statutory exemption.
VIII. Additional Information:

If there is a need for assistance with any additional questions or concerns, please visit the FloridaJobs.org/RAHelpCenter which provides claimants with additional tools and information to assist with Reemployment Assistance.

It is not necessary to use friends or family members for interpretive services. DEO offers assistance to people who do not speak English as their primary language and those who have a limited ability to read, speak, write, or understand English. We also provide assistance to people who are unable to file a claim for various reasons. Click here to view our translation services. People who need assistance filing a claim online because of legal reasons, computer illiteracy, language barriers, or disabilities may call Customer Service Contact Center: 1-833-FL-APPLY (1-833-352-7759) Mon. - Fri. 8:00 a.m. - 5:00 p.m., eastern time.