



FAQ: “Fact-finding” Hearings with the Department of Labor

Q. What is a “fact-finding” hearing and what do I need to know about it?

A. Most unemployment claims are straightforward and can be decided without the need for additional information. But sometimes the Department of Labor will need more information to determine if you are eligible for benefits. In this case you might see a message on your online account saying “Issue on File.”

Normally, you would have received a notice from the Department of Labor telling you what the issue was and scheduling a “fact-finding interview” with a date and time. Given the high volume of claims resulting from the pandemic, this process can result in delays. To resolve these issues more quickly, the Department is also calling claimants and asking if the person would like to participate in the interview at that time rather than waiting for an interview to be scheduled. The decision is totally yours, there is no obligation to agree to this option and if you do not wish to do so, a written notice will be sent scheduling a fact-finding interview with you in approximately five days.

This is a very important call and claimants have important rights related to this call. The Department will use the information you provide during the call to decide if you can get unemployment benefits for the week or weeks in question.

- **You have the right to ask for the interview to be scheduled.** If you would like more time to prepare for the interview, if you are not able to give the call your full attention (for example you are caring for a child), or if you would like to have a friend or family member with you during the call; you can request to schedule a time for the interview approximately five days later.
- **You have the right to know and understand the issue.** The Department will tell you what they will be asking about (for example what happened when you left your last job or whether you earned wages during a certain week). If you do not understand the issue, you can and should ask the adjudicator to explain it to you.

- You have the right to take the time you need to provide information you think is important.
- You have the right to an interpreter for this call if English is not your first language.
- If you are unsure it is the Department of Labor is calling. The Department understands that you may be concerned that the caller is someone trying to scam you, especially if the call is on a Saturday. Although these interviews mostly take place Monday through Friday, the Department often has staff working on Saturdays to make these calls or to follow up on messages submitted through the online Customer Messaging Portal.

The caller's number should show on your caller ID as the main claims center number, 1-800-593-7660. You can also ask the caller for their adjudicator or station number. The Department would not ask you for your full social security number unless you have asked for help in filing a new benefit claim. If needed, you might be asked for the last 4 digits of your social security number only. If you have *any* doubt about whether the caller is from the Department, you should ask that the interview be scheduled and a notice of the time and date sent to you. This is fine and will **not** affect the outcome of the Department's decision.