



Did You Knowingly Give False Information?

Knowingly giving false information to get unemployment is considered fraud.

Fraudulent overpayments come with penalties, interest, and must be repaid. You also may not be able to get future benefits.

What Are the Deadlines for Filing an Appeal?

You must file an appeal within specific deadlines outlined in the notices you receive.

Can You Set Up a Repayment Plan?

Yes, the UI Recovery Unit can help you set up a repayment plan.

Unable to Establish a Payment Plan?

In those cases, the agency can collect the debt through methods like liens, civil action, or federal tax refund offsets.

Bankruptcy might be an option to consider.

Has It Been More Than 6 Years Since Determination of Overpayment?

Ask for a waiver. TDOL may waive the overpayment collection after six years from the determination date, regardless of the cause.

For more information, visit the Tennessee Department of Labor and Workforce Development website: <https://bit.ly/3y3t7wd>

Who We Are

Legal Aid Society is Tennessee's largest non-profit law firm. Our mission is to enforce, advance, and defend the legal rights of low income and vulnerable people to obtain the basic necessities of life, including representing workers in unemployment cases.

Contact Us

We have offices in Clarksville, Columbia, Cookeville, Gallatin, Murfreesboro, Nashville, Oak Ridge, and Tullahoma.

Call 1-800-238-1443 for assistance

In partnership with



The information provided in this booklet does not and is not intended to constitute legal advice. If you have a legal problem, please call a private attorney or call your local Legal Aid Society of Middle Tennessee and the Cumberland Mountains office at 1-800-238-1443. Revised 5.2.24



Did You Get an Overpayment Notice for Tennessee Unemployment Benefits?

Understand Your Rights and Options!





This brochure is designed to:

- help you understand your rights; AND
- teach you how to respond to a TN Unemployment overpayment notice

What is a notice of overpayment?



- A Notice of Overpayment is a letter you receive from TDOL stating they believe you were incorrectly paid unemployment benefits.
- The notice will detail the overpayment amount, any penalties, and the reason you should not have received the unemployment paycheck.
- You have the right to appeal the decision.

How Do Overpayments Happen?

Overpayments often happen due to incorrect or missing information in your weekly certifications. Common reasons include improper wage reporting, failure to report return-to-work dates, TDOL errors, or successful employer appeals.



How Do You Know If You Have an Overpayment?

The Tennessee Department of Labor and Workforce Development (TDOL) is required to send you notices with important appeal rights if it thinks you have an overpayment.

How to Respond to the TDOL Overpayment Notices



1. First Notice (Potential

Overpayment Notice): You have **7 days to respond by calling the Benefit Payment Control Unit at 615-206-3116.** Explain why you believe you were not overpaid.



2. Second Notice (Overpaid Account

Establishment Notice): This notice allows you to appeal and request a waiver at the same time.

Appeal: Appeal the decision within **15 days of the mailing date.** You have the right to a hearing to argue the overpayment amount or the existence of an overpayment. You can also appeal whether the overpayment was caused by fault or fraud on your part.



Waiver: You have **90 days** from the date on this notice to request a waiver of the overpayment. To be eligible for a waiver, the overpayment cannot be due to your fault or fraud. You also have to prove that you can't afford to pay the overpayment back.

Important: You may receive multiple decisions from TDOL. Please read the decisions appeal from any notice unless you are sure it is totally correct for further appeals and waiver rights.



3. Third Notice (Overpaid Account

Assessment Notice): This notice should be sent to you after you have lost an appeal or failed to respond to previous notices. It details the final amount due and repayment options.

Do You Still Have to Repay the Overpayment?



Yes, if the overpayment has not been waived it must be paid.