

**VIRGINIA EMPLOYMENT COMMISSION**

P. O. BOX 1358

RICHMOND, VIRGINIA 23218-1358



Agent State or L.O. \_\_\_\_\_

Benefit Year Ending \_\_\_\_\_

Social Security No. \_\_\_\_\_

Program \_\_\_\_\_

**NOTICE OF DEPUTY'S DETERMINATION**

You are hereby notified that based on facts obtained in connection with your claim for unemployment compensation filed on \_\_\_\_\_ the undersigned deputy pursuant to Section 60.2-633 of the Virginia Unemployment Compensation Act renders the following determination:

You are overpaid in the amount of \_\_\_\_\_

1st Week	Last Week	Overpaid	Reason
----------	-----------	----------	--------

If you have not made repayment, arrangements for refund of this overpayment must be made immediately. Payment should be made by check or money order and mailed in the enclosed envelope. Failure to satisfy this overpayment can result in the delay or denial of future benefits.

R. J. BRYANT, Deputy  
Virginia Employment Commission

Section 60.2-633. Receiving benefits to which not entitled. - Any person who has received any sum as benefits under this title to which he was not entitled shall be liable to repay such sum to the Commission.

In the event the claimant does not refund the overpayment, the Commission shall deduct from any future benefits such sum payable to him under this title unless the overpayment occurred due to administrative error, in which case the Commission shall deduct only fifty percent of the payable amount for any future week of benefits claimed, rounded down to the next lowest dollar until the overpayment is satisfied. Administrative error shall not include decisions reversed in the appeals process. In addition, the overpayment may be collectible by civil action in the name of the Commission. Amounts collected in this manor may be subject to an interest charge as prescribed in 58.1-15 from the date of judgement and may be subject to the fees and costs. The Commission may, for good cause, determine as uncollectible and purge from its records any benefit overpayment which remains unpaid after the expiration of seven years from the date such overpayment was determined or immediately upon the death of such person or upon his discharge in bankruptcy occurring subsequently to the determination of overpayment.

Section 60.2-634. Receiving back pay after reinstatement. - Whenever the Commission finds that a discharged employee has received back pay at his customary wage rate from his employer after reinstatement such employee shall be liable to repay any benefits paid to such person during the time he was unemployed. When such an employee is liable to repay benefits to the Commission, such sum shall be collectible without interest by civil action in the name of the Commission.

#### APPEAL RIGHTS

This determination becomes final unless notice of appeal is filed within thirty days after it is delivered in person or mailed to the last known address. The appeal must be in writing and should set forth the grounds upon which the appeal is sought. The appeal should be filed (1) by mail address to: Virginia Employment Commission, Attn: First Level Appeals, Room 124, P.O. Box 1358, Richmond, Virginia 23218-1358; (2) by FAX transmission to the First Level Appeals Unit at (804) 786-8492; (3) via internet using web address: <https://www.vec.virginia.gov/vecportal/appeals/Appeals.asp>.

FINAL DATE FOR APPEAL: 99/99/9999

NOTE: In the event an appeal is filed from this determination, you should continue to file your weekly claims. You will want to continue to receive credit for each week in the event the determination contained herein is reversed or revised as a result of the appeal.

Determination mailed to claimant: 99/99/9999

Fault A (Agency): This overpayment is the result of Agency error. Therefore, any future benefits claimed will be offset at 50% to recover the amount overpaid.

Fault C (Claimant): This overpayment is not the result of Agency error. Therefore, any future benefits claimed will be offset at 100% to recover the amount overpaid.