

DECLARATION OF MIZAN WEREDE

Pursuant to 28 U.S.C. § 1746, I, Mizan Werede, declare under penalty of perjury as follows:

1. I am a resident of Washington, D.C.
2. I am 51 years old.
3. I worked at Willard Inter-Continental Hotel starting on May 9, 2013. I worked as a Server and was responsible for providing service at the hotel's restaurant.
4. I lost my job on March 17, 2020 because of the COVID-19 public health emergency. I have remained unemployed since March 17, 2020.
5. After I lost my job, I had trouble paying for many of my expenses, including, food, car insurance, utility bills, and telephone bills.
6. I applied for unemployment compensation online in D.C. around March 27, 2020.
7. On April 8, 2020, DOES sent me a document labeled "Monetary Determination." This document said I was monetarily eligible for benefits and listed my Maximum Weekly Benefit Amount as \$444 based on my wages from January 1, 2019, to December 31, 2019.
8. I started getting UI on May 8, 2020, with my first payment including back pay for the weeks I waited for my application to be processed.
9. DOES continued to approve and process my weekly benefit claims, and I received payment for weeks ending April 11, 2020, through January 2, 2021; and January 30, 2021 through September 4, 2021. But I have not been paid for the weeks ending January 9, 2021 to January 23, 2021, or September 11, 2021, and I only got a partial payment for the week ending January 30, 2021.
10. When I log onto the DOES online portal for unemployment compensation, I see that my payment history page has notes for the weeks ending January 9, 2021 through January

23, 2021, that say, “Your claim has been received...is not payable because your entire benefit was applied to reduce overpayment.”

11. I never received a Notice of Determination of Overpayment from DOES.

12. DOES has withheld \$2,232 of my weekly benefits because of this overpayment that the agency says I have for those three weeks, and I’m missing an additional \$732 from the weeks ending January 30, 2021, and September 11, 2021, for a total of \$2,964 that I haven’t received.

13. I do not know why the overpayment occurred nor do I know the amount of this overpayment.

14. After a September 23, 2021 telephone call with DOES, I received the attached Benefit Offset Receipt, dated June 3, 2021, that said that DOES offset my payments for the weeks ending April 10 and April 17, 2021, to pay back a \$1,488 overpayment. The receipt did not explain why there was an overpayment or tell me whether I could ask for the offset to be reconsidered.

15. After the September 23, 2021, telephone call with DOES, I also received a monetary determination from DOES, dated June 8, 2021, for a benefit year beginning May 30, 2021, and ending May 28, 2022. The monetary determination included \$662 in wages from the Willard from July to September 2020, and \$2,645 in wages from the Willard from October to December 2020. However, I did not work during that time and did not earn any money. I don’t know why those wages are listed on the monetary determination.

16. I tried calling the Willard’s HR department with Legal Aid twice in December 2021 to see if they had any information about these reported wages from the second half of 2020, but no one answered. We left voicemails, but no one has called back.

17. I was able and available to work the entire time I claimed unemployment benefits, including the weeks I'm missing.

18. I reached out to Legal Aid for help with my benefits on May 25, 2021 since, at that point, I had not received UI benefits since January 2021. Prior to contacting Legal Aid, I reached out to DOES, but no clear response was provided. I was just told to continue submitting my weekly claims, but DOES did not provide a definite answer as to when my UI benefits would start up again.

19. My attorney at Legal Aid, Aida Fitzgerald, has reached out to DOES to ask about why my benefits were terminated. Legal Aid emailed DOES about my case on May 26, 2021. On June 9, 2021, I let my attorney know that I received benefits for 6 weeks – April 24, 2021 to May 29, 2021 – but I still had not received benefits for almost 14 weeks between January to April 2021.

20. My attorney continued to email DOES once per week about my missing benefits. DOES paid me for June 2021 to September 4, 2021, when my benefits expired, but they still did not pay me for the missing weeks from January to April 2021.

21. On September 23, 2021, Legal Aid legal assistant Hanna Endale and I called the DOES customer service line to ask about my back benefits for January 9, 2021 through April 17, 2021. On that call, Ms. Endale explained that I filed weekly claim cards for those weeks by email to DOES.onestop@dc.gov and fact.finding@dc.gov but that only the weeks ending January 9, 2021, April 10, 2021, and April 17, 2021 appear on my payment history. She also explained that those three weeks have notes that indicate an overpayment and that I had not received notice of any overpayment. The DOES representative said that she saw the overpayment for those weeks in her system and that she was going to put in a request for an overpayment letter to be sent to

me. She also told Ms. Endale and me that we can request information about the overpayment through the bpc.um@dc.gov email address. The DOES representative said that the claim cards that I submitted were not currently in the DOES system and she would put in a note that I submitted them by email. She also sent me an email with information about how to submit the claim cards for the weeks ending January 16, 2021 through April 3, 2021 to fact.finding@dc.gov and through a link she would send me that would expire in 48 hours.

22. On September 24, 2021, Ms. Endale emailed bpc.um@dc.gov asking for any notices of overpayment on my record and submitted my weekly claim cards for the weeks ending January 3, 2021 through April 3, 2021 to fact.finding@dc.gov and using the 48-hour link. Neither I nor Legal Aid has received a response to any of these communications.

23. On December 7, 2021, DOES paid me for the weeks ending January 30, 2021, to April 17, 2021, and paid the missing part of my payment from April 24, 2021.

24. Without my unemployment compensation benefits from January 9, 2021 to June 3, 2021, when I got some partial backpay, it was difficult and stressful to pay for food, my phone bill, car insurance, and other bills.

25. Unemployment compensation provides me an invaluable safety net as I attempt to reenter the workforce. I applied for multiple jobs, including my former job as a server, but have not received any job offers. Without getting the unemployment backpay, I am worried that I will experience continued financial instability.

26. DOES offsetting some of my benefits without notice and opportunity to appeal has caused me emotional harm including compounding the stress of financial instability due to continued unemployment despite my diligent efforts to find work.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: December 29, 2021

Washington, DC



Mizan Werede