**Section 2760.150 Consequences of an Error in the Preparation of the Employer's Contribution and Wage Report or Report for Household Employers and Procedures for the Waiver or Elimination of Certain Penalties**

a) If an error in the preparation of the Employer's Contribution and Wage Report or Report for Household Employers results in an underreporting of contributions due, the employer shall be liable for any penalty and the delinquent contributions plus interest, calculated in accordance with Section 1401 of the Act, from the date that the original report was due.

b) Except as provided in subsection (c), if an error in the preparation of the Employer's Contribution and Wage Report or Report for Household Employers resulted in an overpayment of contributions, the employer may file a claim for an adjustment or refund. The claim must be signed and filed within the period provided in Section 2201 of the Act. The request shall be filed on the form entitled "Employer's Claim for Adjustment/Refund" as provided in 56 Ill. Adm. Code 2725.115.

c) Except as otherwise provided in subsection (d), in the event that the employer is mailed a Statement of Account that indicates the employer's account has a credit balance and the employer wishes to obtain a cash refund, the employer may file for the refund within the period provided in Section 2201 of the Act, on the form, Employer Request for Refund − Statement of Account. The form may be obtained and shall be completed in the same manner as provided in subsection (b).

d) Except as otherwise provided in this subsection, in the event that the employer has overpaid a penalty as the result of Section 2760.141 or 56 Ill. Adm. Code 2765.62, the Department shall apply the credit as an adjustment against other liabilities of the employer under the Act. The Department shall grant a refund of any credit resulting from Section 2760.141 or 56 Ill. Adm. Code 2765.62 if the credit has not been used as an adjustment by January 31, 2016.

(Source: Amended at 43 Ill. Reg. 1566, effective January 15, 2019)