

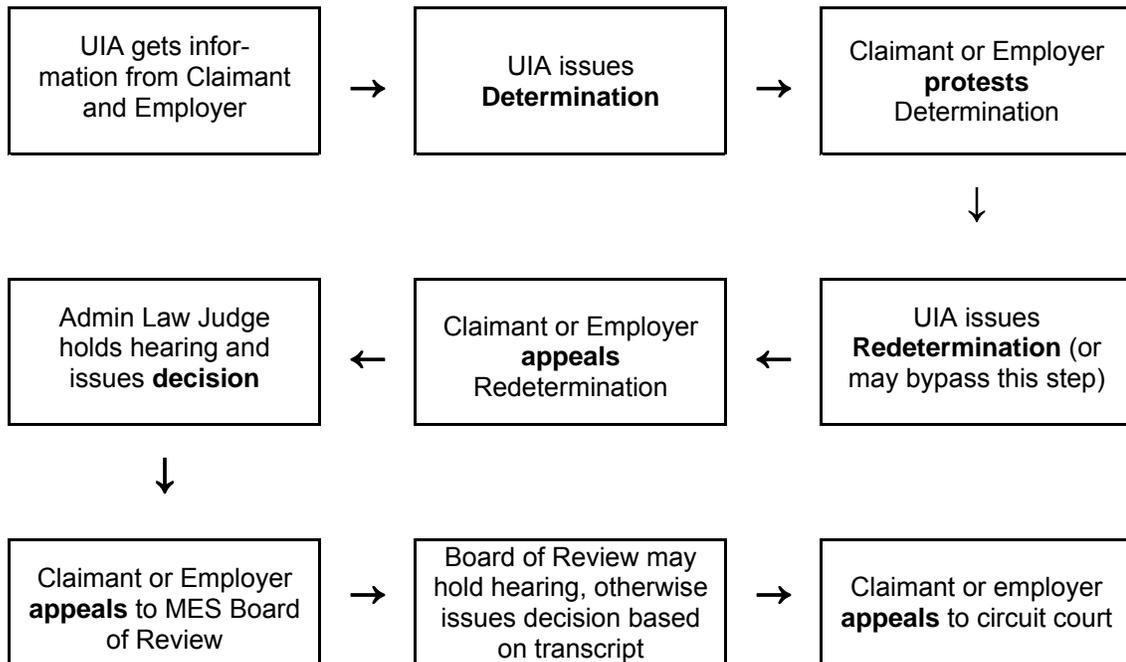


DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
**UNEMPLOYMENT INSURANCE AGENCY**

Statewide Employer Seminars  
**HOW THE APPEAL PROCESS WORKS**

Fall 2009

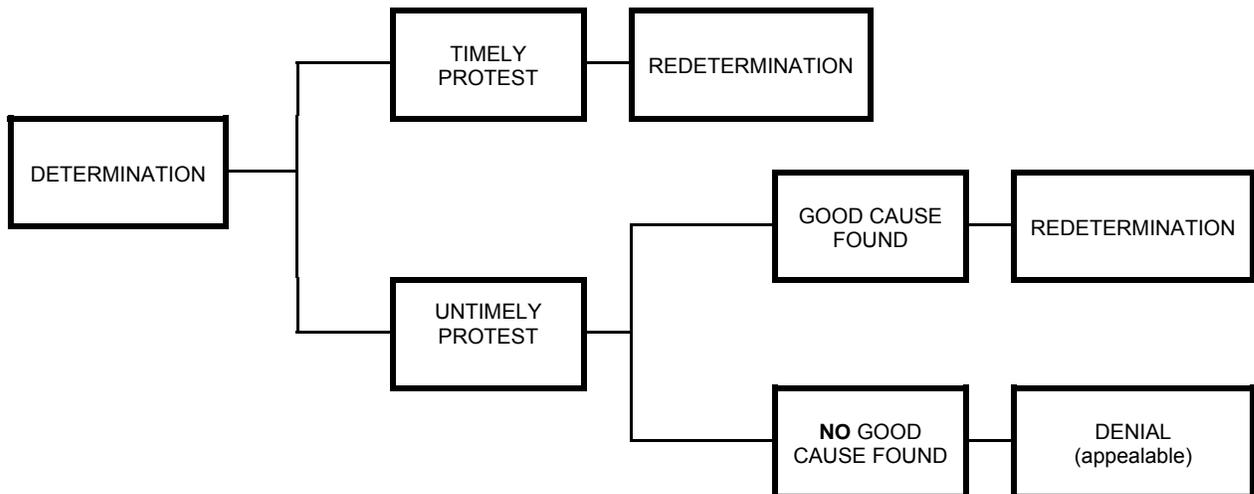
■ **OVERVIEW OF THE APPEAL PROCESS**



## ■ TIME LIMITS FOR FILING PROTESTS/APPEALS

A **protest** from a Determination, or an **appeal** from a Redetermination, Order, or Decision is “timely” if it is received by UIA, in writing, on or before the 30<sup>th</sup> day from the date stamped or printed on the document as being the “mailed date” or the “issued date.” Postmarking on the 30<sup>th</sup> day is not the same as receipt of the document on the 30<sup>th</sup> day.

### Protest of a Determination



When the **Determination** is issued, all parties (claimant, employer, and Agency) have a 30-day period in which to file a **protest** to the Determination. If the protest is filed **timely** (that is, within this period), a **Redetermination** is issued.

The Redetermination will either affirm, modify, or reverse the Determination, stating the reasons for doing so.

If the protest is filed **untimely**, a finding must first be made by the Agency as to whether the party had **good cause** for being untimely.

If good cause is found to exist, a Redetermination will be issued.

If good cause is found not to exist, a **denial** will be issued. The denial is appealable directly to an Administrative Law Judge (ALJ), but the only issue before the ALJ is that of good cause. If the ALJ finds good cause, the ALJ can then issue a decision on the merits of the case.

## ■ ADVOCACY PROGRAM

- Provides no-cost Information, consultation, and (in most cases) representation at the hearing.
- One group of Advocates represents only claimants; a separate group represents only employers. No Advocate can represent both claimant and employers.
- Once an appeal is scheduled, either party may call the Advocacy Program to request an Advocate. The toll-free number is 1-800-638-3994 (313-456-2314 in the Detroit area) and select menu item #2.
- You will be sent a list of all of the Employer Advocates serving your geographic area of the state. The list will include a brief statement of the background and experience of each of the Advocates, and the way to contact each Advocate. You make your selection, contact that Advocate to discuss the case, and to arrange (in most cases) for that Advocate to represent your company at the hearing. The Advocate bills the Advocacy Program for their services.



For more information about the Advocacy Program, check out the Advocacy Program Webcast on the UIA's "UI Tube". Go to the UIA Homepage, [www.michigan.gov/uia](http://www.michigan.gov/uia), and click on "Webcasts". On the "Webcasts" page scroll down to "Employer Webcasts" and click on that. On the "Employer Webcasts" page scroll down to "Advocacy Program".

