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UNEMPLOYMENT INSURANCE AGENCY
ADVOCACY PROGRAM
(Michigan Employment Security Act)
2011 ANNUAL REPORT

The Advocacy Program was created by the enactment of Public Act 226 of 1989, which added Section 5a to the Michigan Employment Security Act, MCL 421.5a. The Advocacy Program's purpose is to provide information, consultation, and representation services to unemployed workers and employers who request assistance with an appeal to an Administrative Law Judge. The Advocacy Program began providing services in 1991 and since then, over 221,920 customer case files have been opened and closed.

The fiscal appropriation for this program is \$1.5 million. The law requires that a maximum of 60% of the appropriation be used for unemployed workers representation and a maximum of 40% of the appropriation be used for employer representation.

- A. During CY 2011, 11,267 unemployed workers requested Advocacy services and of those, 8,668 were provided consultation and representation services.
- B. During CY 2011, 7,386 employers requested Advocacy services and of those, 4,567 were provided consultation and representation services.
- C. Unemployed workers expended \$900,830.00 (60%) of the appropriation in CY 2011.
- D. Employers expended \$481,435.00 (32%) of the appropriation in CY 2011.
- E. The Advocacy Program continues to grow in popularity with both unemployed workers and employers. In CY 2011, the Advocacy Program provided information and consultation only services for 1,803 of its open cases (10%).

During the consultation, the Advocate is required to discuss the issue(s) involved, review documentation, and help the customer determine if a witness(es) is necessary for the hearing. The Advocate also explains the hearing process and what to expect during the hearing. As a result, the parties are better prepared to present their side of the case.

The Advocacy Program does not provide representation services at the ALJ hearing if the Advocate determines the case lacks merit. The Advocate determines if the appeal has merit based on a reasonable application of the MES Act and precedent case law. After consulting with the customer and the Advocate determines that the case lacks merit, the Advocate must advise their customer accordingly. At times, the unemployed workers and employers decide to withdraw their appeals after consulting with an Advocate. This helps to reduce the number of hearings before the ALJ's.