



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY
LANSING

SUSAN CORBIN
DIRECTOR

MEMORANDUM

DATE: April 12, 2023

TO: Honorable John Cherry, Chair, Senate Standing Committee on Labor
Honorable Mary Cavanaugh, Chair, Senate Appropriations Subcommittee on LEO/MEDC
Honorable Jim Haadsma, Chair, House Standing Committee on Labor
Honorable Will Snyder, Chair, House Appropriations Subcommittee on Labor and Economic Opportunity

FROM: Julia Dale, Director
Michigan Unemployment Insurance Agency
Department of Labor and Economic Opportunity

SUBJECT: Unemployment Insurance Agency Hardship Waiver Report 2022

The Hardship Waiver Program was created by the enactment of Public Act 1 of 1936, Employment Security Act (MES Act). The Hardship Waiver's purpose is to allow an individual to request a waiver of recovery for the balance of an overpayment account that does not involve fraud.

Per Section 421.62g of the Employment Security Act, the Unemployment Insurance Agency shall provide a written report regarding waivers to the chairpersons of the standing committees and the appropriations subcommittees of the house of representatives and senate having jurisdiction over legislation pertaining to employment security that includes:

- i. The procedures relating to waivers that the unemployment agency used or adopted.
- ii. The number of applications for a waiver the unemployment agency received.
- iii. The number of individuals who submitted an application for a waiver.
- iv. The number of waivers that were granted by each of the following methods:
 - a. An unemployment agency determination.
 - b. An unemployment agency redetermination.
 - c. An administrative law judge order.
 - d. A Michigan compensation appellate commission order.

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- e. A court order.
- v. The number of waivers that were denied, tabulated by the reason for the denial, by each of the following methods:
 - a. An unemployment agency determination.
 - b. An unemployment agency redetermination.
 - c. An administrative law judge order.
 - d. A Michigan compensation appellate commission order.
 - e. A court order.
- vi. The total amount of restitution waived.

Should you have any questions regarding this report or need additional information please contact Rachael Wineland, UIA Legislative Liaison at WinelandR@michigan.gov or 517-290-3053.

Unemployment Insurance Agency Hardship Waiver 2022 Annual Report

Per Section 421.62g of the Employment Security Act, the Unemployment Insurance Agency shall provide a written report regarding waivers to the chairpersons of the standing committees and the appropriations subcommittees of the House of Representatives and Senate having jurisdiction over legislation pertaining to employment.

- i. The procedures relating to waivers that the unemployment agency used or adopted.

A waiver application can only be submitted once every six months. If denied, the claimant can protest. The protest must address the original application. If the waiver is allowed because of the protest, a redetermination should be issued. The decision on whether to allow a waiver of the balance of a non-fraud overpayment due to financial hardship is based on information provided by the claimant on Form UIA 1795. The individual requesting a waiver must disclose his/her current financial condition.

- ii. The number of applications for a waiver the unemployment agency received.¹

16,753

- iii. The number of individuals who submitted an application for a waiver.

16,412

- iv. The number of waivers that were granted by each of the following methods:²

- a. An unemployment agency determination: 2,924

- b. An unemployment agency redetermination: 540

- c. An administrative law judge order: 10

- d. Michigan Compensation Appellate Commission order: 0

- e. Court order: 0

¹ Figures reported represent waivers received through the agency system (MiWAM).

² Figures reported are based on waivers received in 2022.

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- v. The number of waivers that were denied by each of the following methods:²
 - a. An unemployment agency determination: 10,145
 - b. An unemployment agency redetermination: 45
 - c. An administrative law judge order: 303
 - d. Michigan Compensation Appellate Commission order: 3
 - e. Court order: 0

- vi. The total amount of restitution waived:
\$40,035,296.87

² Figures reported are based on waivers received in 2022.