

Section 32a(1) of the Act provides that a determination becomes final if it is not protested within 30 days. Thereafter, a determination may only be redetermined upon a showing of good cause as defined in Michigan Administrative Code Rule (Rule) 421.270.

Rule 270 provides:

- (1) In determining if good cause exists under sections 32a, 33, and 34 of the act, after the 30-day protest or appeal period has expired, for reconsideration of any prior determination or redetermination or for reopening and review, good cause shall include, but not limited to, any of the following situations: (a) If an interested party has newly discovered material facts which, through no fault of the party, were not available to the party at the time of the determination, redetermination, order, or decision. However, a request for reconsideration of a determination or redetermination or for reopening a decision or order made after the expiration of the statutory 30-day period solely for the purpose of evading or avoiding such statutory period is not for good cause. (b) If the agency has additional or corrected information. (c) If an administrative clerical error is discovered in connection with a determination, redetermination, order, or decision. (d) If an interested party has a legitimate inability to act sooner. (e) If an interested party fails to receive a reasonable and timely notice, order, or decision. (f) If an interested party is prevented from acting sooner due to an untimely delivery of a protest, appeal, or agency document by a business or governmental agency entrusted with delivery of mail. (g) If an interested party has been misled by incorrect information from the agency, the office of appeals, or the board of review.

In the instant matter, the Agency's March 30, 2021 PUA monetary redetermination was issued more than 30 days after the issuance of the July 13, 2020 PUA monetary determination and was done so without a finding of good cause. As stated above, absent a showing of good cause, the monetary determination became final and the Agency could not properly issue the March 30, 2021 PUA monetary redetermination. That being the case, the Commission finds that the ALJ's May 19, 2021 decision should be reversed, the Agency's March 30, 2021 PUA monetary redetermination set aside, that the Agency's July 13, 2020 PUA monetary determination is final, and that the claimant is eligible for PUA benefits as of March 8, 2020.

Therefore,

IT IS ORDERED that the ALJ's May 19, 2021 decision is reversed.

IT IS FURTHER ORDERED that the Agency's March 30, 2021 PUA monetary redetermination is set aside.

IT IS FURTHER ORDERED that the Agency's July 13, 2020 PUA monetary determination is final.

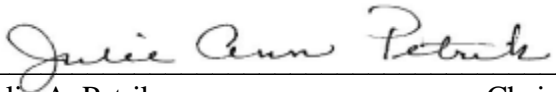
IT IS FURTHER ORDERED that the claimant is eligible for PUA benefits as of March 8, 2020.

IT IS FURTHER ORDERED that this matter is referred to the Agency for action consistent with this decision.

IT IS FURTHER ORDERED that the Commission retains no jurisdiction in this matter.



William J. Runco Commissioner



Julie A. Petrik Chairperson



Lester A. Owczarski Commissioner

MAILED AT LANSING, MICHIGAN OCTOBER 26, 2021

This decision shall be final unless EITHER (1) the Unemployment Insurance Appeals Commission RECEIVES a written request for rehearing on or before the deadline, OR (2) the appropriate circuit court RECEIVES an appeal on or before the deadline. The deadline is:

TO PROTECT YOUR RIGHTS, YOU MUST BE ON TIME. NOVEMBER 29, 2021

English

IMPORTANT! This document(s) contains important information about your unemployment compensation rights, responsibilities and/or benefits. It is critical that you understand the information in this document.

IMMEDIATELY: If needed, call 1-866-500-0017 for assistance in the translation and understanding of the information in the document(s) you have received.

Arabic

مهم! نتم. إفتدئ اوف وأ / و إفتدئ ايل وؤسجو كل اطبلنا تاض يوعت قوقح نع مهم تامول عم ىلع (قئائتولنا) قئيتولنا هذو إوتحت إهم دنسملنا اذو يف كدراولنا تامول عملنا مهفت نأ.

(قئائتولنا) قئيتولنا يف تامول عملنا مهفو تمجرت يف كدعاسمللل 1-866-500-0017 ىلع لصرتنا، رمألا مزل اذو: روفلنا ىلع اهتقيلت يتلنا.

Spanish

¡IMPORTANTE! Este (s) documento (s) contiene información importante sobre sus derechos, responsabilidades y / o beneficios de compensación por desempleo. Es fundamental que entienda la información de este documento.

INMEDIATAMENTE: Si es necesario, llame al 1-866-500-0017 para obtener ayuda en la traducción y comprensión de la información en el documento (s) que ha recibido.

Mandarin

重要！ 本文件包含有关您的失业补偿权利，责任和/或利益的重要信息。了解本档中的信息至关重要。

立即： 如果需要，请致电1-866-500-0017以协助翻译和了解您收到的文件中的信息。

Albanian

E rëndësishme! Ky dokument përmban informacione të rëndësishme për të drejtat, përgjegjësitë dhe / ose përfitimet e papunësisë. Është e rëndësishme të kuptojmë informacionin në këtë dokument.

Menjëherë: Nëse është e nevojshme, telefononi 1-866-500-0017 për të ndihmuar në përkthimin dhe kuptimin e informacionit në dokumentet që keni marrë.