

MICHIGAN EMPLOYMENT SECURITY ACT (EXCERPT)
Act 1 of 1936 (Ex. Sess.)

***** 421.32a.amended THIS AMENDED SECTION IS EFFECTIVE JULY 17, 2026 *****

421.32a.amended Review of determination; redetermination; notice; reconsideration; applicability of redetermination, disqualification, or ineligibility to compensable period; finality of redetermination; additional transfer provisions; finding of fraud; change in mailing address; appeal for hearing on redetermination.

Sec. 32a. (1) Upon application by an interested party for review of a determination, upon request for transfer to an administrative law judge for a hearing filed with the unemployment agency not more than 30 days after the mailing or personal service of a notice of determination, or upon the unemployment insurance agency's own motion within that 30-day period, the unemployment agency shall review any determination. After review, the unemployment insurance agency shall in its discretion issue a redetermination affirming, modifying, or reversing the prior determination and stating the reasons for the redetermination, or may transfer the matter to an administrative law judge for a hearing. If the unemployment agency issues a redetermination, it shall promptly notify the interested parties of the redetermination. The redetermination is final unless not more than 30 days after the mailing or personal service of a notice of the redetermination an appeal is filed with the unemployment agency for a hearing on the redetermination before an administrative law judge pursuant to section 33.

(2) The unemployment insurance agency shall, for good cause, including an administrative clerical error or evidence produced by an interested party showing that a prior determination or redetermination was not sent to the interested party's correct address or an address ascertained under subsection (5), reconsider a prior determination or redetermination after the 30-day period has expired and after reconsideration issue a redetermination affirming, modifying, or reversing the prior determination or redetermination, or transfer the matter to an administrative law judge for a hearing. A reconsideration must not be made unless the request is filed with the unemployment insurance agency, or reconsideration is initiated by the unemployment agency with notice to the interested parties, not more than 1 year after the date of mailing or personal service of the original determination on the disputed issue or, if the original determination involved a finding of fraud, not more than 3 years after the date of mailing or personal service of the original determination.

(3) If an interested party fails to file a protest within the 30-day period and the unemployment insurance agency for good cause reconsiders a prior determination or redetermination and issues a redetermination, a disqualification, or an ineligibility imposed thereunder, other than an ineligibility imposed due to receipt of retroactive pay, the redetermination, disqualification, or ineligibility does not apply to a compensable period for which benefits were paid or are payable unless the benefits were obtained as a result of an administrative clerical error, a false statement, or a nondisclosure or misrepresentation of a material fact by the claimant. However, the redetermination is final unless not more than 30 days after the date of mailing or personal service of the notice of redetermination an appeal is filed for a hearing on the redetermination before an administrative law judge pursuant to section 33.

(4) In addition to the transfer provisions in subsections (1) and (2), both of the following apply:

(a) If both the claimant and the employer agree, the matter may be transferred directly to an administrative law judge in a case involving the payment of unemployment benefits.

(b) If both the unemployment insurance agency and the employer agree, the matter may be transferred directly to an administrative law judge in a case involving unemployment contributions or reimbursements in lieu of contributions.

(5) If a determination or redetermination includes a finding that an interested party committed fraud, the unemployment insurance agency shall, in addition to sending the determination or redetermination to the interested party's address of record, ascertain from the department of state, the department of treasury, and the United States Postal Service other known mailing addresses of the interested party and send the determination or redetermination to the most recent address.

(6) A claimant, employer, or interested party shall, during a benefit year, notify the unemployment agency of a change in its mailing address.

(7) Upon filing an appeal for a hearing on a redetermination issued under subsection (1), an interested party may include a request for consolidation of another matter to be reviewed at a hearing as described in section 33. Upon receipt of the request for consolidation, the unemployment insurance agency shall consolidate all matters for transfer to an administrative law judge for a hearing on the matters listed in the request for consolidation. A matter listed on the request for consolidation must be consolidated if 1 of the following conditions is met:

(a) An application for review of a determination for the listed matter was submitted under subsection (1) not less than 30 days before the interested party's request for consolidation. The unemployment agency shall stop a review of the determination and not issue a redetermination of the matter that is consolidated under this subdivision.

(b) The unemployment insurance agency has previously issued a redetermination of the listed matter under this section, and the interested party filed a timely appeal for a hearing on the redetermination. If the interested party has not filed an appeal for a hearing on the redetermination of the listed matter before the interested party submitted a request for consolidation, but the appeal otherwise would be timely or the interested party has good cause for a late appeal, the interested party may file an appeal for a hearing for a redetermination of the listed matter at the same time that the interested party made the request for consolidation.

(8) Subsection (7) must not be construed to limit an administrative law judge's authority to consolidate matters to be reviewed at a hearing as described in section 33.

History: Add. 1941, Act 364, Imd. Eff. July 1, 1941;—CL 1948, 421.32a;—Am. 1951, Act 251, Imd. Eff. June 17, 1951;—Am. 1955, Act 281, Eff. July 15, 1955;—Am. 1957, Act 311, Imd. Eff. June 21, 1957;—Am. 1965, Act 281, Eff. Sept. 5, 1965;—Am. 1971, Act 231, Imd. Eff. Jan. 3, 1972;—Am. 1974, Act 11, Imd. Eff. Feb. 15, 1974;—Am. 1975, Act 110, Eff. June 8, 1975;—Am. 1983, Act 164, Eff. Oct. 1, 1983;—Am. 1996, Act 503, Imd. Eff. Jan. 9, 1997;—Am. 2011, Act 269, Imd. Eff. Dec. 19, 2011;—Am. 2017, Act 232, Eff. July 1, 2018;—Am. 2024, Act 238, Eff. July 17, 2026.