

STATE OF MICHIGAN
UNEMPLOYMENT INSURANCE APPEALS COMMISSION

In the Matter of

[REDACTED]

Appeal Docket No.: [REDACTED] 23-000552

Claimant,

UIA Case No.: [REDACTED]

[REDACTED]

Employer.

DECISION OF UNEMPLOYMENT INSURANCE APPEALS COMMISSION

This case is before the Unemployment Insurance Appeals Commission (Commission) on the claimant's timely appeal of an Administrative Law Judge's (ALJ) Decision issued on January 6, 2023. The ALJ affirmed an August 26, 2022 denial of redetermination issued by the Unemployment Insurance Agency (Agency) and found the claimant did not have good cause for her late protest of a May 24, 2022 Agency denial of redetermination.

On March 29, 2023, the claimant, through her attorney, submitted a request for admission of additional evidence and asserted the existence of an August 25, 2022 memorandum that granted a presumption of good cause for late protests.

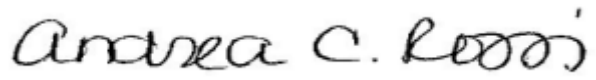
In response, the Commission noticed an oral hearing on this case and its companion cases, for June 8, 2023 for the purpose of determining the authenticity of the memorandum. The Agency and the claimant appeared and were represented at the hearing before the Commission. At the hearing, three exhibits were entered into the record, the Agency's August 25, 2022 memorandum, January 25, 2022 memorandum, and April 11, 2020 memorandum.

After reviewing the record and testimony at the hearing, the Commission finds that the ALJ's decision should be affirmed. Our reasons are as follows.

After reviewing the record, we find the ALJ's findings of fact accurately reflect the evidence introduced during the hearing(s). The ALJ properly applied the law to those facts. It is our opinion that the ALJ's decision should be affirmed.

The Agency's witness credibly testified that the memorandum was not implemented by the Agency. The claimant did not introduce evidence or testimony to rebut the Agency's witness. Accordingly, there is no evidence that the August 25, 2022 memorandum was implemented by the Agency. Therefore, the claimant does not have a presumption of good cause for late appeal. We agree with the ALJ's finding that the claimant's testimony in the January 5, 2023 hearing before the ALJ did not establish good cause for her late appeal of the Agency's May 24, 2022 denial of redetermination.

IT IS THEREFORE ORDERED that the ALJ's decision is AFFIRMED.



Andrea C. Rossi, Commissioner



George Wyatt III, Commissioner



Lester A. Owczarski, Commissioner

MAILED AT LANSING, MICHIGAN July 11, 2023

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. August 10, 2023