

STATE OF MICHIGAN
UNEMPLOYMENT INSURANCE APPEALS COMMISSION

In the Matter of

[REDACTED]

25-002421

Claimant,

[REDACTED]

Employer.

DECISION OF UNEMPLOYMENT INSURANCE APPEALS COMMISSION

The Unemployment Insurance Agency (Agency) timely appeals to the Unemployment Insurance Appeals Commission (Commission) from a July 28, 2025 Administrative Law Judge (ALJ) decision. The ALJ's decision reversed a June 27, 2025 Agency redetermination and held the claimant eligible for benefits under the reporting/certifying provision of Section 28(1)(a) of the Michigan Employment Security Act (Act) from May 11, 2025 through May 24, 2025.

Having reviewed the ALJ record, we reverse the ALJ's decision.

I. Findings of Fact

On May 5, 2025, the claimant applied for benefits. On May 6, 2025, the Agency sent the claimant a Monetary Determination that provided specific instructions requiring him to report/certify every two weeks. For the period from May 11, 2025 through May 17, 2025, the claimant was required to report/certify by May 24, 2025. The claimant reported/certified late on May 28, 2025, because he misunderstood the Agency's instructions in the Monetary Determination for reporting/certifying.

II. Applicable Law

The claimant has the burden of proving the conditions of eligibility for benefits. See *Dwyer v Appeal Board of Michigan Unemployment Compensation Commission*, 321 Mich 178, 186-187; 32 NW2d 434 (1948).

For any week of unemployment, a claimant shall receive benefits if the claimant reported to the Agency in accordance with its reporting rule. See MCL 421.28(1)(a) and Mich Admin Code, R 421.210 (1).

If the claimant has good cause for untimely reporting within 14 days, the claimant's report is considered timely. See Mich Admin Code, R 421.210(7).

Good cause to late reporting means there is a justifiable reason based on the claimant as a reasonable person considering all the circumstances that prevented the claimant from reporting timely. See Mich Admin Code, R 421.210(2)(e).

Mich Admin Code, R 421.210, in relevant part, provides:

(1) An individual shall receive benefits for any week of unemployment for which the individual filed a claim and reported in accordance with this rule and with the direction of the agency and for which the individual is otherwise eligible and qualified for benefits. . . .

(2) As used in this rule:

... (e) "Good cause for late filing of a new, additional, or reopened claim" and "good cause for late reporting to file a continued claim" means that there is a justifiable reason, determined in accordance with a standard of conduct expected of an individual acting as a reasonable person in the light of all the circumstances, that prevented a timely filing or reporting to file as required by this rule. Examples of justifiable reasons that the agency may consider as constituting good cause include any of the following:

- (i) Acts of God.
- (ii) Working or reliance on a promise of work that did not materialize.
- (iii) Closing of agency offices, or the failure of the agency's telephonic or electronic equipment, during scheduled hours of operation.
- (iv) Delay or interruption in the delivery of mail or the delay or interruption of information by telephonic or other means by a business or governmental agency entrusted with the delivery of mail or of messages by telephonic or other means.
- (v) Personal physical incapacity or the physical incapacity or death of a relative or ward of either the individual or the individual's spouse or of any person living in the same household as the individual claiming benefits.
- (vi) Attendance at a funeral.
- (vii) Incarceration.
- (viii) Jury duty."

* * *

Further, Administrative Rule 421.210 provides, in relevant part, in Rule 210(10):

* * *

If the claimant is unable to file a claim in a timely manner because the agency's services are unavailable, then the claim is considered filed on time if it is received by the agency on the next workday.

* * *

III. Reasoning and Conclusions of Law

The ALJ found the claimant established good cause for his late reporting because the claimant had a good-faith misunderstanding **about whether he was to certify for one week or two weeks of benefits at a time.**

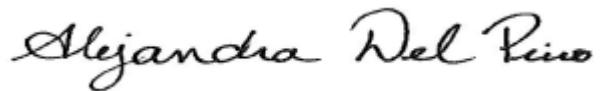
Contrary to the conclusion of the ALJ, we find that the claimant did not establish good cause for late reporting/certifying. The claimant's testimony establishes he made a good-faith mistake. However, his mistake does not rise to the level of good cause for late reporting/certifying. As noted by both the ALJ above, and the Agency's Monetary Determination, the claimant was required to certify every two weeks. We find that the claimant did not meet his burden of proving he met the conditions for eligibility for benefits. *Dwyer*, above.

IV. Order

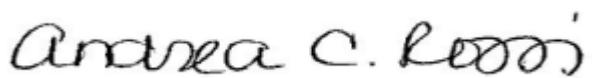
IT IS THEREFORE ORDERED that the ALJ's decision is REVERSED.

IT IS FURTHER ORDERED that the claimant is INELIGIBLE for benefits under the reporting/certifying provision of Section 28(1)(a) of the Act from May 11, 2025 through May 24, 2025.

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



Alejandra Del Pino, Commissioner



Andrea C. Rossi, Commissioner

MIKHAIL ALBUSEIRI COMMISSIONER, DISSENTING:

I respectfully disagree with the Majority's decision to reverse the ALJ's decision.

After reviewing the record, I would affirm the ALJ's decision.

Given the Act's remedial nature, I find that the claimant's unrebutted testimony established good cause for late reporting/certifying. Importantly, the examples provided in Mich Admin Code, R 421.210(2)(e)—as cited by the Majority—are not exhaustive. I agree with the ALJ's legal conclusion:

Claimant's credible and unrebutted testimony that he reviewed all the information provided to him by the Agency and attempted to comply with the requirement to timely certify for benefits. However, Claimant had a good faith misunderstanding which resulted in a late certification.

(ALJ's decision, page 7.)

As the Majority has decided otherwise, I respectfully dissent.


Mikhail Albuseiri, Commissioner

MAILED AT LANSING, MICHIGAN December 16, 2025

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. January 15, 2026