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# LARA Unemployment Insurance Agency

Department of Licensing and Regulatory Affairs

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## Employer Advocacy Program



The Advocacy Program is designed to offer assistance at no cost to employers who seek assistance at initial hearings with the Michigan Administrative Hearing System (MAHS). The same services are also available to unemployed workers.

Michigan employers may select their own Advocate from a statewide network of qualified independent consultants. The Advocates are not required to be attorneys. They are independent contractors not Agency employees. As a result, the Agency does not dictate or control their decisions and/or actions.

If you are interested in Advocacy assistance, or in need of additional information, allow at least 10 days AFTER appealing your redetermination, then call the Advocacy Program at 800-638-3994. Calling for assistance at least 24 business hours prior to the MAHS hearing is allowable, but may result in lack of time to secure an Advocate. The earlier you call, the more assured you will be of securing an Advocate to take your case. Non-appealing parties must call for Advocacy assistance immediately, but no later than one business day prior to the scheduled MAHS hearing date. Failure to secure an Advocate is not sufficient reason to reschedule a hearing.

## Available Advocacy Services

### Information about Advocacy assistance and Program eligibility.

Agency staff will determine eligibility for services under the Program and will provide interested employers with general information about how the Program works. Fact sheets describing Agency procedures and issues, and a list of Advocates will also be provided to eligible employers.

### Consultation regarding specific cases.

Advocates will consult with employers regarding the merit and preparation of their cases. If the Advocate believes that the case has no merit, the Advocate will, prior to the scheduled MAHS hearing, provide the employer with a written explanation. Otherwise, the Advocate will provide representation for the employer – except for cases specifically excluded – for their hearing before MAHS.

Cases involving Labor Disputes, Trade Readjustment Allowance (TRA), Interstate Filed Claims, SUTA (State Unemployment Tax Act) Dumping, Monetary Determinations including Redetermination of Charges, Employer Specific Issues Related to Unemployed Worker and Agency Only and Intentional Misrepresentation (Fraud) may receive information only.

### Representation.

Advocates will accompany the employer, or if scheduled, will provide representation via telephone, and act as a representative at the MAHS hearing. Because of limited funding and/or specialized knowledge required, certain cases are not included in hearing representation. Your Advocate will inform you during the consultation if your case is excluded because of:

- Admitted disqualifying acts
- Reasonable assurance (Denial Period) issues
- Intentional Misrepresentation cases (Fraud)
- Simple mathematical interest and
- Interest and Penalty calculation disputes
- Willful neglect
- Benefit and liability cases without merit
- Multi-Claimant cases

Employer Advocacy Assistance  
1-800-638-3994

## Other Considerations

**Other Representation:** If an employer pays, or has a contract to pay, an Advocate for any unemployment compensation hearing representation services, or prepays for legal services under which the Advocate would provide these (unemployment compensation hearing representation) services, the Advocate will not be reimbursed under the Advocacy Program. (Dues paid to a trade association, nonprofit organization or labor organization will not disqualify an employer from receiving advocacy services.)

**Geographic Locations:** The Advocacy Program is a statewide program but is not available for Interstate Benefit cases. While every effort is made to recruit sufficient numbers of Advocates to meet local needs, some geographic areas, from time to time, may not have as many Advocates as the demand requires.

**Program Limitations:** The Advocacy Program is designed to assist eligible employers, but It is not an entitlement and is limited by the availability of Advocates, time constraints, and funding which is determined by state appropriation. Separate employer and unemployed worker amounts have been earmarked; therefore, unemployed worker and employer funding may not be exhausted simultaneously.

Failure to secure an Advocate due to insufficient funds in the Program, unavailability of an Advocate, lack of time necessary to prepare a case, or an error in the Program's notification system are not sufficient reasons to reschedule a hearing.

