

USE OF PLAIN LANGUAGE BY THE UNEMPLOYMENT INSURANCE AGENCY

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House Bill 4434 as introduced
Sponsor: Rep. Lori M. Stone
Committee: Workforce, Trades, and Talent
Complete to 5-12-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4434 would amend the Michigan Employment Security Act to require that the Unemployment Insurance Agency (UIA)¹ use *plain language* in all of the following under the act, whether in print, electronic, or other format:

- Correspondence and documents related to the taxes of employers and the benefits of individuals.
- Policies that the UIA implements.
- Rules that the UIA promulgates.

Plain language would mean language that is clear and concise, that avoids complex vocabulary, and that is based on a fourth-grade reading level.

Under the bill, the UIA would have to include a clear, concise, and factual reason for any determination or redetermination provided to a claimant or employer, as well as a statement on the party's appeal rights.

Generally, the UIA would have to provide both of the following in the notification it provides to an employer or claimant regarding a denial, modification, or ending of benefits:

- A clear and concise statement of the reason for that determination, including the facts and legal reason for the determination.
- If applicable, the appeal rights that the employer or claimant has regarding the determination.

MCL 421.2 and 421.32b and proposed MCL 421.32e

¹ Although the bill refers to the "unemployment agency," defined elsewhere in the act as the "bureau of worker's and unemployment compensation," that agency is currently known as the Unemployment Insurance Agency, after being most recently renamed by EO 2003-18 (https://www.michigan.gov/formergovernors/0,4584,7-212-96477_57648_21975-76905--,00.html) and most recently transferred to the Department of Labor and Economic Opportunity by EO 2019-13 (https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-499273--,00.html).

FISCAL IMPACT:

The bill would have a minimal effect on the state to the extent that the UIA would have to redevelop rules that are determined not to conform to the plain language requirement.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.