

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

421.44a "Previously uncovered services" defined; wages to include remuneration for previously uncovered services; limitation on use of remuneration and on charging of benefits; claims to which section applicable; retroactive claims; remuneration for previously uncovered services; identification and notification of individuals entitled to benefits; charging certain amounts of benefits to state only; reimbursement of commission.

Sec. 44a.

(1) As used in this section, "previously uncovered services" means services which meet all of the following criteria:

(a) Which were not performed in employment, as defined in section 42, and were not services covered pursuant to section 25 at any time during the 1-year period ending December 31, 1975.

(b) Are agricultural services performed for an employer, as defined in section 41(5), or domestic services performed for an employer, as defined in section 41(6), or are services performed as an employee of a governmental entity, as defined in section 50a or services performed by an employee of a nonprofit educational institution other than an institution of higher education, as defined in section 53(3).

(2) For purposes of qualifying for, computing, or paying benefits with respect to benefit years beginning on or after January 1, 1978, wages for insured work shall include remuneration paid or payable for previously uncovered services. However, to the extent that benefits were paid or are payable, on the basis of previously uncovered services, under title II of the emergency jobs and unemployment assistance act of 1974, 26 U.S.C. 3304nt., or under a local unemployment compensation system, the remuneration for those services shall not be used for purposes of qualifying for, computing, or paying benefits under this act.

(3) Benefits shall not be charged to a contributing employer's account or to a reimbursing employer's account to the extent that the commission is reimbursed for those benefits pursuant to section 121 of the unemployment compensation amendments of 1976 and pursuant to subsections (7) and (8).

(4) This section shall apply to new claims filed after December 31, 1977. For purposes of this section, a claim filed after the effective date of this section, but before 90 days after the effective date of this section, shall be considered to have been timely filed. For purposes of retroactive claims filed pursuant to the transitional provisions of this section, the eligibility requirements of section 28(1)(a) shall be waived with respect to those weeks retroactively claimed.

(5) Remuneration paid or payable for previously uncovered services shall not be considered wages subject to contribution or reimbursement liability under this act.

(6) The commission shall attempt to ascertain the identity of and shall notify each individual who may be entitled to benefits under this section and who has had a claim rejected before the effective date of this section that he or she may be eligible to receive benefits under this section.

(7) Notwithstanding any other provision of this act, if an individual has not earned sufficient wages in covered employment to qualify for unemployment benefits except by combining such wages with remuneration paid or payable for previously uncovered services, benefits shall be charged only to the state but only for the amounts such benefits are not reimbursed under section 121 of the unemployment compensation amendments of 1976.

(8) To the extent that the commission is not reimbursed by the federal government under section 121 of the unemployment compensation amendments of 1976 for benefits paid based on previously uncovered services or under subsection (7), the commission shall be reimbursed from the general treasury of the state of Michigan.

History: Add. 1978, Act 355, Imd. Eff. July 20, 1978