



DACA (DEFERRED ACTION FOR CHILDHOOD ARRIVALS) AND MICHIGAN UNEMPLOYMENT INSURANCE



What is unemployment insurance?

Unemployment insurance gives short-term income to those who have lost their jobs through no fault of their own. In Michigan, unemployment insurance payments are administered by the Unemployment Insurance Agency (UIA).

I have DACA*, can I apply for unemployment in Michigan?

Yes, however you will need to show:

1. You earned enough qualifying wages during the work periods under review (the “base period”), *and*
2. You are able and available to work; this means your work authorization must be valid during each week you claim unemployment and
3. You must be looking for, and not refuse, “suitable” work.

If your DACA status or work authorization expired during the base period or is currently expired, talk to an attorney.

If you receive a denial letter from the UIA and believe that you are eligible, make sure to respond within the time period on the letter (usually 30 days). Talk to an attorney if you have questions on how to respond or the time period for responding has passed.

Does getting unemployment insurance make me a public charge?

No. Receiving unemployment insurance payments **is not** a factor in a public charge determination.

If I am undocumented or don't have work authorization, can I get unemployment in Michigan?

No. Michigan law requires an individual applying for unemployment to be either: a US citizen; a legal permanent resident; or have valid immigration benefit** (for example DACA) during the “base period” and have valid work authorization while applying for unemployment.

Applying for unemployment with another person’s identity, including social security number, is considered fraud and can have serious civil and criminal consequences.

Have more questions?

- For more information about understanding your work “base period” and other eligibility requirements, see Michigan Legal Help’s [Overview of Unemployment Benefits](#).
- For information about filing a claim during COVID-19, see the UIA’s [Claiming Unemployment Benefits in Michigan - COVID-19 Guide](#)

The following organizations provide free consultations:

University of Michigan Workers’ Rights Clinic: 734.936.2000 or email: law-uic-info@umich.edu.

Michigan Immigrant Rights Center/Farmworker Legal Services employment hotline: 800-968-4046

Sugar Law Center for Economic and Social Justice: (313) 993-4505

* DACA is an immigration benefit (known as “deferred action”) given to a limited number of eligible immigrants starting in 2012. For current information on DACA, see <https://unitedwedream.org/renew-my-daca-2019/>

** There are other “immigration benefits” that may qualify someone for unemployment insurance, such as asylees, refugees, parolees, withholding of removal, VAWA self-petitioners. Contact MIRC if you are an immigrant and unsure about your eligibility for unemployment insurance.

