

STATE OF MICHIGAN
COURT OF APPEALS

ALI M. ALASRI,

Plaintiff-Appellant,

v

STATE OF MICHIGAN MESC
EMPLOYMENT BOARD OF REVIEW,

Defendant-Appellee.

Docket # 69891

3-13-84

MAR 13 1984

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Attorney for Plaintiff-Appellant

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of the State of Michigan

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Michigan Employment
Security Commission

BEFORE: Wahls, P.J., and R.M. Maher and C.W. Simon, Jr., JJ.

PER CURIAM.

Plaintiff appeals as of right from a February 9, 1982 circuit court order which affirmed a decision of the Michigan Employment Security Board of Review. That decision, in turn, had affirmed a referee's decision finding plaintiff ineligible for Trade Readjustment Allowance (TRA) training benefits pursuant to 19 USC 2293.

Plaintiff was employed by Chrysler Corporation from

*Circuit Judge, sitting on the Court of Appeals by assignment.

January, 1973 until he was laid off July 11, 1979. On December 10, 1979, plaintiff applied for TRA benefits. He exhausted his TRA basic benefits on February 21, 1981, and applied for TRA "training benefits" on April 14, 1981. Plaintiff's application was denied as untimely under the provisions of 19 USC 2293, the statute authorizing such payments.

On appeal, plaintiff contends that the MESC did not properly notify him of his right to apply for training benefits because the MESC merely mailed him notification, rather than specifically and orally calling this right to his attention, and rather than providing him with an Arabic interpreter.¹ Although we are sympathetic to plaintiff's difficulties with the English language, we do not agree that the MESC had such an obligation. Plaintiff has produced no evidence that the MESC was aware of his illiteracy at the time the notice was sent. We therefore conclude that the responsibility for translating the notice rested with plaintiff, who should have acted in some way to inform himself of its contents. Neal v Review Board Indiana Employment Sec Div, 153 Ind App 630; 288 NE2d 561, 563-564 (1972), Sandlin v Review Board Indiana Employment Sec Div, Ind App 406 NE2d 328, 332, fn 4, (1980).

Affirmed.

/s/ Myron H. Wahls
/s/ Richard M. Maher
/s/ Charles W. Simon, Jr.

¹ Plaintiff is unable to read English well.