**Section 2720.160 Reconsidered Findings or Determination**

a) Upon the written request of a party or the receipt of new information relating to the original issues, and subject to the time limits set forth in this Section, an adjudicator shall reconsider an original finding or determination.

1) In the case of a finding, an adjudicator shall reconsider his or her finding within 13 weeks after the close of the claimant's benefit year;

2) In the case of a determination that does not involve the issue as to whether or not the claimant misstated his or her earnings for the week, or whether or not the claimant has been paid wages as a result of a back pay award made by any governmental department or pursuant to arbitration proceedings, or as a result of a payment of wages wrongfully withheld by an employing unit, an adjudicator shall reconsider his or her determination within one year after the last day of the week for which the determination was made;

3) In the case of a determination that involves the issue as to whether or not the claimant has been paid wages as a result of a back pay award made by any governmental department or pursuant to arbitration proceedings, or as a result of a payment of wages wrongfully withheld by an employing unit, an adjudicator shall reconsider his or her determination within three years after the last day of the week for which the determination was made;

4) In the case of a determination that involves the issue as to whether the claimant misstated earnings for any week beginning on or after March 15, 2020, an adjudicator shall reconsider his or her determination within five years after the last day of the week for which the determination was made [820 ILCS 405/703];

5) A finding or determination shall not be reconsidered subsequent to the filing of an appeal under Section 2720.200, except when the issue is newly discovered as to whether or not the claimant misstated his or her earnings, or unless the matter is remanded to the adjudicator by a Referee, the Board of Review or a court.

b) A reconsidered finding or determination shall relate only to the issues and period of time set forth in the original finding or determination.

c) The adjudicator shall investigate the original records and facts and document a report of a reconsidered investigation that includes the new information and shall:

1) Affirm the original finding or determination if the new facts are not sufficient to modify or reverse the original finding or determination and, unless otherwise instructed by the party, process an appeal to the Referee on behalf of the requesting party, in accordance with Section 2720.200, in which case the appeal shall be considered an appeal to the original finding or determination; or

2) Modify or reverse the original finding or determination if the new facts require a different result, and issue a reconsidered finding or determination to the parties vacating and replacing the original finding or determination and affording full appeal rights under Section 2720.200 as to the reconsidered finding or determination.

(Source: Amended at 48 Ill. Reg. 9592, effective June 20, 2024)