



2015 SENATE BILL 764

February 23, 2016 – Introduced by Senators BEWLEY, ERPENBACH, LASSA, HANSEN, HARRIS DODD, C. LARSON, RINGHAND and VINEHOUT, cosponsored by Representatives HESSELBEIN, SINICKI, BERCEAU, CONSIDINE, GENRICH, GOYKE, JORGENSEN, OHNSTAD, SPREITZER, SUBECK and ZEPNICK. Referred to Committee on Workforce Development, Public Works, and Military Affairs.

1 **AN ACT to amend** 108.04 (2) (a) 3. (intro.) of the statutes; **relating to:** an
2 exemption from work search requirements for certain individuals claiming
3 unemployment insurance benefits.

Analysis by the Legislative Reference Bureau

This bill provides that a claimant for unemployment insurance benefits who reasonably expects to be reemployed by the claimant's former employer within 26 weeks is exempt from the eligibility requirement of conducting weekly searches for suitable work.

Under current law, a claimant is generally required to conduct searches for work each week to be eligible for unemployment benefits. Current law provides that a claimant who is laid off is exempt from the work search requirement if the claimant reasonably expects to be reemployed by the former employer and the Department of Workforce Development (DWD) verifies that expectation. DWD may grant a claimant a waiver of the work search requirement under certain conditions. Administrative rules promulgated by DWD require DWD to grant a claimant a waiver of the work search requirement for eight weeks if the claimant reasonably expects to be reemployed with the claimant's employer within that period. The rules permit DWD to provide an additional four-week extension of that waiver. The rules also provide additional reasons a claimant may qualify for a waiver.

This bill modifies current law to specifically provide that a claimant is exempt from the work search requirement for up to 26 weeks after the week the claimant was laid off if the claimant reasonably expects to be reemployed within that 26-week period.

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 108.04 (2) (a) 3. (intro.) of the statutes is amended to read:

2 108.04 (2) (a) 3. (intro.) The individual conducts a reasonable search for
3 suitable work during that week, unless the search requirement is waived under par.
4 (b) or s. 108.062 (10m). The search for suitable work must include at least 4 actions
5 per week that constitute a reasonable search as prescribed by rule of the department.
6 In addition, the department may, by rule, require an individual to take more than
7 4 reasonable work search actions in any week. The department shall require a
8 uniform number of reasonable work search actions for similar types of claimants.
9 ~~This subdivision does not apply to an individual if~~ If the department determines that
10 ~~the~~ an individual is currently laid off from employment with an employer but there
11 is a reasonable expectation of reemployment of the individual by that employer
12 within 26 weeks after the week the individual was laid off, this subdivision does not
13 apply to that individual with respect to that 26-week period. In determining
14 whether the individual has a reasonable expectation of reemployment by an
15 employer, the department shall request the employer to verify the individual's
16 employment status and shall also consider other factors, including:

17 **SECTION 2. Initial applicability.**

18 (1) This act first applies to weeks of unemployment beginning on the effective
19 date of this subsection.

20 **SECTION 3. Effective date.**

