

Chapter Ind-UC 126

REGISTRATION FOR WORK, AND NOTICE OF UNEMPLOYMENT

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Ind-UC 126.01 Manner of registering for work, and the effect of such registration. (1) Pursuant to section 108.04 (2) (a), Wis. Stats., an employe shall be eligible, for waiting period or benefit purposes, as to any week or other designated period of his total unemployment, only if he has within such week or other designated period registered for work through a public employment office.

(2) An employe thus registering for work shall be presumed willing and able to accept any suitable employment that might be offered him, except that a representative of the department may test this presumption through questioning of the employe at the time he files his claim for benefits and through other procedures. A claimant will not be deemed as having registered for work if it is determined by any of these procedures that his physical condition or his personal circumstances remove or practically remove him from the labor market or that without good cause he is substantially restricting his opportunities to secure suitable employment.

(3) An employe's registration for work shall be made in person, except as an employe of the employment security division may permit or direct otherwise, in view of the available registration facilities.

History: 1-2-56; am. (3), Register, September, 1968, No. 153, eff. 10-1-68.

Ind-UC 126.02 Failure to register. Pursuant to section 108.04 (2) (a), Wis. Stats., the commission finds that there are certain conditions under which an employe cannot reasonably be required to comply with the foregoing registration requirement as a condition of his benefit eligibility for the given week; and the commission therefore waives that requirement in those cases where the employe's failure to register within the given week was due to:—

(1) The absence of registration facilities in the employe's community during the given week (for example, where the travelling representative serving that community failed to appear during the scheduled time and at the scheduled place to effect registrations).

(3) The employe's inability to use the registration facilities available to him in his community, because of the lack or failure of transportation facilities on which he might have reasonably relied. Such

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inability will be recognized as existing only if such inability was at such time and for such duration in the week as to prevent his registering within the week.

(4) A definite error related to the employe's registration made by the personnel of the employment security division.

(5) Action by the employer in question, in any manner (directly or indirectly) instructing, warning, or persuading the employe not to register.

(6) The failure of the employer in question to duly post any registration "notice to employes" which has been supplied to him, in accordance with section Ind-UC 120.01.

(7) An applicable waiver of the registration requirement for such week by the employer, pursuant to section 108.04 (13) (b), Wis. Stats., if approved by a department deputy.

(8) (a) An applicable waiver of the registration requirement for such week, as to a given employer's employes (or a group or class thereof), made by a department deputy hereunder.

(b) Such a waiver shall be made only where employment by the employer has not been terminated and substantially all of such employes are expected to resume work for the employer at an early date, because their current unemployment is due to a temporary mass layoff or to a labor dispute in the employer's establishment in which they have been employed; so that requiring weekly registrations by such employes would be unreasonable under chapter 108, Wis. Stats.

History: 1-2-56; r. (2); am. (3), (4), (6), (7), (8), Register, September, 1968, No. 153, eff. 10-1-68; am. (4), (7) and (8) (a), Register, January, 1975, No. 229, eff. 2-1-75.

126.03 Partial unemployment. (1) As to any week in which a claimant performs some wage-earning services and is partially unemployed:

(a) He need not register for work within such week to establish his eligibility for benefits unless he has been notified to do so, in accordance with this section, before the start of such week.

(b) Pursuant to section 108.04 (2) (c) Wis. Stats., he may be required to register for work through a public employment office within any such week under the following conditions:

1. He is so notified by an employe of the employment security division; and

2. He has claimed benefits for at least 4 weeks in which he was partially unemployed during the preceding 52 weeks; and

3. There is some definite indication that he is not genuinely interested in working full time.

(2) If a claimant is thus notified to register for work, section Ind-UC 126.01 (2) and (3) shall apply.

History: 1-2-56; renum. from Ind-UC 126.06 to be Ind-UC 126.03 and as renum. is am., Register, September, 1968, No. 153, eff. 10-1-68; am. (1) (intro.), Register, January, 1975, No. 229, eff. 2-1-75.

Ind-UC 126.04 Notice of unemployment. Pursuant to section 108.08, Wis. Stats., an employe shall be eligible, for waiting period or benefit purposes, as to any given week of his unemployment, only if he gives due notice of (and files claim on account of) such unemployment:

(1) After the close of such week; and

(2) Through a public employment office; and

(3) Within 2 weeks after the close of the week in question; pro-

vided, however, that there shall not be counted (toward this 2-week time limit) any week for which the employe's registration was waived, or might have been waived under section Ind-UC 126.02. The department deputy may also waive the above 2-week time limit, provided there are special circumstances justifying such action in the given case.

History: 1-2-56; am. intro. par. and (3), Register, September, 1968, No. 153, eff. 10-1-68.

Ind-UC 126.05 Requiring added efforts to secure work. Pursuant to section 108.04 (2) (b), Wis. Stats., any benefit claimant, registered for work pursuant to section Ind-UC 126.01, may also be required to make other efforts to secure work and to supply proper evidence thereof in accordance with this section, in order to remain eligible under chapter 108, Wis. Stats.

(1) Any employe of the employment security division may thus require any such claimant to make an active personal search for work, and to supply proper evidence thereof, by notifying the claimant accordingly.

(2) Such advance notice may be given a claimant whenever such a search may reasonably be directed under the given circumstances, as evidenced by:

(a) The claimant's failure to secure work during a substantial preceding period of unemployment, as shown either by 6 consecutive weeks of benefit claims and work registrations or by even more aggregate weeks of unemployment within several recent months; or

(b) Some definite indication that the claimant may not be genuinely interested in accepting new work, as shown by his own statements or by statements from prospective employers who have interviewed him for a job or by other relevant evidence.

(3) A claimant thus notified to make an active personal search for work shall, to remain eligible, apply to employers who may have work available which he could perform, and shall seek to secure such work as he might reasonably be required to accept (if it were offered him) to remain eligible.

(4) To submit proper evidence of such efforts to secure work the claimant shall report, to the employment security division, the firm name and address of each employer thus interviewed, the date and place of the interview, and any other relevant facts, in such manner that his report can readily be checked and verified.

(a) The claimant shall be required to secure written evidence from any such employer only when the claimant has been expressly so notified in advance and has been supplied a form for that purpose.

(5) If a claimant, thus notified, fails without good cause to make the special efforts to secure work or to submit the evidence thereof required by this rule, he shall be ineligible for each week such failure continues.

History: 1-2-56; renum. from Ind-UC 126.08 to be Ind-UC 126.05 and as renum. am. (1), (2) and (4), Register, September, 1968, No. 153, eff. 10-1-68; cr. (2) (intro. par.), Register, September, 1970, No. 177, eff. 10-1-70.