

CR 88-55

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RULES CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPT. OF INDUSTRY,)
LABOR & HUMAN RELATIONS)

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TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, John T. Coughlin, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to Ch. ILHR 126, Work Registration Amendments were duly approved and adopted by this department on September 22, 1988.
(Subject) *(Date)*

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 1:00 p.m. in the city of Madison, this 22nd day of September A.D. 1988.

John T. Coughlin
Secretary

12-1-86

ORDER OF ADOPTION

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Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s) 101.02(1) and 108.14(2),

Stats., the Department of Industry, Labor and Human Relations creates;

amends; repeals and recreates; repeals and adopts rules of Wisconsin Administrative Code chapter (s):

ILHR 126

(Number)

Work Registration

(Title)

The attached rules shall take effect on the first day of the month
following publication in the Wisconsin Administrative Register pursuant to section
227.22, Stats.

Adopted at Madison, Wisconsin, this

date: September 22, 1988

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN
RELATIONS


Secretary



RULES in FINAL DRAFT FORM

Rule: 126.001 (7m) & (10); and 126.04(intro.), (8), (9) & (10)

Relating to: Amendments to the Chapter Regarding Work Registration
Requirements.

CLEARINGHOUSE RULE NO. 88-55

The Wisconsin Department of Industry, Labor and Human Relations proposes an order to amend ILHR 126.001(10) and 126.04(intro.); and to create ILHR 126.001(7m) and 126.04(8), (9) and (10) relating to work registration requirements.

* * * * *

Statutory authority: ss. 101.02(1) and 108.14(2), Stats.

Statute interpreted: ss. 108.04(2), Stats.

The list of definitions contained in section ILHR 126.001 is applicable to Chapters ILHR 126 to 129. The proposed creation of section ILHR 126.001(7m) would add "local office" to that list of definitions.

The proposed amendment to ILHR 126.001(10) would define "representative of the department" to mean any person employed by the department of industry, labor and human relations.

Section 108.04, Stats., provides that a claimant shall be eligible for unemployment benefits for any week only if the claimant has registered for work at a public employment office unless the registration has been waived by the department. Section ILHR 126.04 identifies those circumstances when the department shall waive the registration for work requirement. Those circumstances already listed under ILHR 126.04(1) to (7) are "exceptional;" the proposed amendment to ILHR 126.04 (intro.) defines them as such. The proposed amendment would also allow the department to apply the waiver in those exceptional cases that cannot be specifically identified by the department, without further amendments to the rule.

Since the adoption of this rule, the department has begun using group

registrations as a means of registering claimants for work within the week the claimants file the initial claim for benefits. However, it is not always feasible for the public employment offices to register each claimant who files a benefit claim within the week. The proposed creation of section ILHR 126.04(8) would allow the department to waive the work registration requirement in the week the claim is filed if the department is unable to schedule the claimant for a group registration session within that week.

The proposed creation of sections ILHR 126.04(9) and (10) would specify exceptional circumstances that would allow the department to waive the work registration requirement. Section ILHR 126.04(9) would allow the waiver when a claimant is employed. Section ILHR 126.04(10) would allow the waiver when a claimant has a job interview.

SECTION 1. ILHR 126.001(7m) is created to read:

ILHR 126.001(7m). "Local office" means an office of the unemployment compensation division of the department of industry, labor and human relations which is responsible for the processing and adjudication of unemployment compensation claims.

SECTION 2. ILHR 126.001(10) is amended to read:

ILHR 126.001(10) "Representative of the department" means any person employed by ~~the job service division of~~ the department of industry, labor and human relations who has job duties involving claimant work registrations or the taking, processing or adjudication of benefit claims.

SECTION 3. ILHR 126.04(intro.) is amended to read:

ILHR 126.04 MANDATORY WAIVER OF WORK REGISTRATION. (intro.) Under s. 108.04(2)(b), Stats., the department shall waive the registration for work requirements ~~under any of the following~~ if exceptional circumstances exist. Exceptional circumstances include, but are not limited to, the following:

SECTION 4. ILHR 126.04(8) to (10) is created to read:

ILHR 126.04(8) Within the week the initial claim for benefits is filed, the department is not able to register the claimant through a group registration session conducted by the department to assist the claimant in completing the work application.

(9) The claimant was unable to attend the scheduled registration session because the claimant was employed.

(10) The claimant was unable to attend the scheduled registration session because of a job interview.

SECTION 5. EFFECTIVE DATE. This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.



State of Wisconsin \ Department of Industry, Labor and Human Relations

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September 22, 1988

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Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO. 88-55

RULE NO. ILHR 126.001(7m) & (10); and 126.04(intro.), (8), (9) & (10)

RELATING TO Amendments to the Chapter Regarding Work Registration Requirements

Pursuant to section 227.20, Stats., agencies are required to file a certified copy of every rule adopted by the agency with the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you:

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.114, Stats., a summary of the final regulatory flexibility analysis is also included.

Respectfully submitted,

John T. Coughlin
Secretary