



1995 SENATE BILL 444

December 6, 1995 - Introduced by Senators BURKE, CHVALA and MOEN, cosponsored by Representatives BOCK, BALDWIN, BOYLE, CARPENTER, CULLEN, DOBYNS, GOETSCH, GROBSCHMIDT, HUBER, LORGE, OTT, OTTE, PLOMBON, RILEY, RYBA and SPRINGER. Referred to Committee on Human Resources, Labor, Tourism, Veterans and Military Affairs.

1 **AN ACT to amend** 108.04 (10) (a) and (b) of the statutes; **relating to:** eligibility
2 of certain employes who are affected by labor disputes for unemployment
3 compensation benefits.

Analysis by the Legislative Reference Bureau

Currently, an employe who leaves or partially or totally loses his or her work with an employer because of a strike or other bona fide labor dispute, other than a lockout, is not eligible to receive unemployment compensation benefits based on employment prior to the beginning of the dispute for any week in which the dispute is in active progress in the establishment in which the employe is or was employed.

This bill permits an employe who partially or totally loses his or her work with an employer to receive unemployment compensation benefits while a labor dispute is in active progress based on employment with employers other than the employer that is involved in the dispute if the employe is otherwise eligible to receive benefits.

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

4 **SECTION 1.** 108.04 (10) (a) and (b) of the statutes are amended to read:
5 108.04 **(10)** (a) An employe who has left ~~or partially or totally lost~~ his or her
6 work with an employing unit because of a strike or other bona fide labor dispute,
7 other than a lockout, is not eligible to receive benefits based on wages paid for
8 employment prior to commencement of the dispute for any week in which the dispute

1 is in active progress in the establishment in which the employe is or was employed,
2 except as provided in par. (b). An employe who has partially or totally lost his or her
3 work with an employing unit because of a strike or other bona fide labor dispute is
4 not eligible to receive benefits based on employment with the employing unit that is
5 involved in the dispute prior to the commencement of the dispute, for any week in
6 which the dispute is in active progress in the establishment in which the employe is
7 or was employed, but is eligible to receive benefits based on employment with other
8 employing units for any such week if the employe is otherwise qualified to receive
9 benefits under this chapter.

10 (b) An employe who has left his or her work as provided in par. (a) and who did
11 not establish a benefit year prior to commencement of a strike or other bona fide labor
12 dispute, other than a lockout, may establish a benefit year after commencement of
13 the dispute if the employe qualifies to establish a benefit year under s. 108.06 (2) (a),
14 but the wages paid to the employe for employment prior to commencement of the
15 dispute shall be excluded from the employe's base period wages under sub. (4) (a) and
16 ss. 108.05 (1) and 108.06 (1) for any week in which the dispute is in active progress
17 in the establishment in which the employe is or was employed.

18 **SECTION 2. Initial applicability.**

19 (1) This act first applies with respect to weeks of unemployment commencing
20 on the effective date of this subsection.

21 (END)