WISCONSIN LEGISLATIVE COUNCIL STAFF

RULES CLEARINGHOUSE

Ronald Sklansky Director (608) 266-1946

Richard Sweet Assistant Director (608) 266-2982



Terry C. Anderson Director Legislative Council Staff (608) 266-1304

One E. Main St., Ste. 401 P.O. Box 2536 Madison, WI 53701-2536 FAX: (608) 266-3830

CLEARINGHOUSE RULE 00-046

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

a. Section DWD 270.085 (1) (intro.) and (2) (intro.) are awkwardly drafted and should be redrafted as follows:

DWD 270.085 (1) (intro.) SPECIFIC ALLOWABLE ACTIVITIES. A student may perform worklike activities in his or her own elementary or secondary school, with or without compensation, which shall not constitute employment if all of the following conditions are met:

DWD 270.085 (2) (intro.) CONDITIONS FOR OTHER WORKLIKE ACTIVITIES. A student may perform worklike activities, other than those listed in sub. (1) (a), in his or her own elementary or secondary school, with or without compensation, which shall not constitute employment if all of the following conditions are met:

Also, in light of the above, the second sentence of sub. (2) (a) should be deleted.

b. In the treatment clause of Section 2, "DWD" should be inserted before "272.085."

4. Adequacy of References to Related Statutes, Rules and Forms

- a. In s. DWD 272.085 (1) (a), the reference to "established federal Fair Labor Standards Act rates" is insufficient to inform the reader of the specific federal rates or where those rates may be found. This provision should contain a specific reference to the applicable U.S. Code section that sets forth the wage rates. The reference to the "federal Fair Labor Standards Act" may be placed in a note.
 - b. In s. DWD 272.085, it appears that the correct reference is to s. DWD 270.085.

5. Clarity, Grammar, Punctuation and Use of Plain Language

In the first sentence of s. DWD 270.085 (2) (a), "and" should be substituted for the first comma, a period should be inserted after the first "student" and the remainder of the sentence should be deleted. The meaning of the last clause in the sentence is unclear and the clause is probably unnecessary since the activity must be "basically educational."

WISCONSIN LEGISLATIVE COUNCIL STAFF



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CLEARINGHOUSE REPORT TO AGENCY

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

CLEARINGHOUSE RULE 00-046

AN ORDER to repeal and recreate DWD 272.085; and to create DWD 270.085, relating to student worklike activities that do no constitute employment.

Submitted by DEPARTMENT OF WORKFORCE DEVELOPMENT

03-01-00 RECEIVED BY LEGISLATIVE COUNCIL.

03-22-00 REPORT SENT TO AGENCY.

RNS:DF:jal;rv

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

rep	This rule has been reviewed ported as noted below:	d by the Rules Clearingho	ouse. Based on that review, comments a	re
1.	STATUTORY AUTHORITY	(s. 227.15 (2) (a)]		
	Comment Attached	YES	NO 🖊	
2.	FORM, STYLE AND PLAC	EMENT IN ADMINISTR	ATTVE CODE [s. 227.15 (2) (c)]	
	Comment Attached	YES 🖊	NO	
3.	CONFLICT WITH OR DUP	LICATION OF EXISTING	RULES [s. 227.15 (2) (d)]	
	Comment Attached	YES	NO 🖊	
4.	ADEQUACY OF REFEREN [s. 227.15 (2) (e)]	ICES TO RELATED STAT	UTES, RULES AND FORMS	
	Comment Attached	YES 🖊	ио 🔲	
5.	CLARITY, GRAMMAR, PU	NCTUATION AND USE (OF PLAIN LANGUAGE [s. 227.15 (2) (f)]	
	Comment Attached	YES 🖊	NO	
5.	POTENTIAL CONFLICTS V REGULATIONS [s. 227.15 (VITH, AND COMPARAB 2) (g)]	LITY TO, RELATED FEDERAL	
	Comment Attached	YES	NO 🗾	
7.	COMPLIANCE WITH PERM	MIT ACTION DEADLINE	REQUIREMENTS [s. 227.15 (2) (h)]	
	Comment Attached	YES	NO 🗸	

FISCAL ESTIMATE							1999 Sessioi	-	
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□ Decrease Existing Appropriation		☐ Decrease Exist			☐ Decrease	Costs			
☐ Create New Appropriation									
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	oject dent Worklike Activities Tha	at Do Not Constitute E	imployment					
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FISCAL ESTIMATE WORKSHEET



State Senator **James R. Baumgart**

State Capitol: P. O. Box 7882, Madison, WI 53707-7882 • Telephone (608) 266-2056 Toll-free: 1-888-295-8750 • E-Mail: sen.baumgart@legis.state.wi.us

July 25, 2000

Linda Stewart, Secretary
Department of Workforce Development
201 W. Washington Ave.
Madison, WI 53702

Dear Secretary Stewart:

Pursuant to section 227.19(4)(b) 1. a. of the Wisconsin Statutes, the Senate Labor Committee hereby requests a meeting with the agency to review and discuss possible modifications to Clearinghouse Rule Senate 00-046, relating to Student worklike activities that do not constitute employment. The rule was referred to the Senate Labor Committee on June 28, 2000.

Specific concerns that need to be addressed at this meeting relate to Workers Compensation and therefore, I request that a staff person from the Worker's Compensation Division also attend this meeting.

This request for a meeting automatically extends the committee's review period for an additional thirty days.

Please contact my committee clerk, Anne Eskeitz, at your earliest convenience to discuss a date for a meeting.

Sincerely,

Jim Baumgart, Chair Senate Labor Committee

JB:a

Cc: JCRAR

Rep. Daniel Vrakas, Chair

Assembly Labor & Employment Committee

Tommy G. Thompson Governor Linda Stewart Secretary



OFFICE OF THE SECRETARY

201 East Washington Avenue P.O. Box 7946 Madison, WI 53707-7946 Telephone: (608) 266-7552 Fax: (608) 266-1784 http://www.dwd.state.wi.us/

State of Wisconsin Department of Workforce Development

August 10, 2000

Senator James Baumgart, Chair Senate Committee on Labor Room 306 South State Capitol INTER-D

Representative Daniel Vrakas, Chair Assembly Committee on Labor and Employment Room 119 West State Capitol INTER-D

Dear Senator Baumgart and Representative Vrakas:

In response to concerns expressed at a meeting called by Senator Baumgart, the department is submitting a germane modification to proposed rules currently under review by the Senate Committee on Labor and the Assembly Committee on Labor and Employment. The rule is CR 00-046, DWD 270.085 and 272.085, relating to student worklike activities that do not constitute employment. The modification is to s. DWD 270.085(1)(b).

Sec. DWD 270.085(1)(b) is rewritten to read: "The student may perform the activities listed in par. (a) for periods of one hour or less on days that school is in session. The student may perform the activities listed in par. (a) for longer periods on days that school is not in session but may not perform the activities for longer hours on more than a few consecutive days. The annual total time that the student performs the activities listed in par. (a) shall not exceed the equivalent of one hour per school day in any school budget year."

Respectfully submitted.

Linda Stewart, Ph.D.

Secretary

copy:

Senate Committee on Labor members

Assembly Committee on Labor and Employment members

Senator Robson, JCRAR Co-Chair

Representative Grothman, JCRAR Co-Chair

Dan Fernbach, Legislative Council

Joanne Ricca, Wisconsin State AFL-CIO

Dennis Boyer, AFSCME Council 11

Robert Kraig, SEIU

Sheri Krause, Wisconsin Assn. of School Boards

Jennifer Kammerud, School Administrators Alliance

Eskeitz, Anne

From:

Donoghue, Sheehan

Sent:

Thursday, August 03, 2000 5:18 PM

To:

Eskeitz, Anne; Markham, Kimberly; Anderson, Bob; Smith, Richard; Pridgen, Elaine

Cc:

Zink, Sherwood

Subject:

RE: CR 00-046 - Meeting called by Sen. Baumgart, Chair, Senate Labor Committee Meeting

Importance:

High

It is my understanding that this is not a full hearing of the committee. Is that correct? If that is not correct and this is a hearing on the rule, I need to know that immediately. There are people who have indicated that they want to attend the hearing on the rule and they must be notified. Thank you

----Original Message-----From:

Eskeitz, Anne

Sent:

Thursday, August 03, 2000 3:26 PM

To:

Markham, Kimberly; Anderson, Bob; Donoghue, Sheehan; Smith, Richard; Pridgen, Elaine

Subject:

CR 00-046 - Meeting called by Sen. Baumgart, Chair, Senate Labor Committee Meeting

The meeting on the above rule is scheduled for Tuesday, Augsut 8, at 9:30 AM. It will be held in the 330 SW Hearing Room.

Note to Kimberly Markham:

Jennifer Kammerud from the School Administrators is planning on attending as well as Sherry Krause from the School **Boards Association**

Any questions: Contact Anne Eskeitz, Committee Clerk 6-2056

Baumgun



State Senator James R. Baumgart

State Capitol: P. O. Box 7882, Madison, WI 53707-7882 • Telephone (608) 266-2056 Toll-free: 1-888-295-8750 • E-Mail: sen.baumgart@legis.state.wi.us

August 2, 2000

MEMO

TO:

Members of the Senate Labor Committee

Senator Russell Decker

Senator David Zien

Senator Roger Breske

Senator Margaret Farrow

FROM:

Senator Jim Baumgart, Chair

RE:

Clearinghouse Rule Senate 00-046, relating to Student worklike

activities that do not constitute employment (Workforce

Development)

A copy of the above rule was sent to you on July 3, 2000.

Several labor groups have expressed concerns with the rule. After discussing the rule with Dan Fernbach, Legislative Council Attorney for the Labor Committee, I requested a meeting with the agency. Enclosed is a copy of the letter to Workforce Development requesting the meeting.

The meeting is scheduled for **Tuesday**, **August 8**, **at 9:30 A.M.** A hearing room will be reserved as several union groups and other people have indicated they want to attend the meeting. A hearing room will be reserved and you will be notified of the room number. Please advise if you can attend this meeting.

RE: Clearinghouse Rule Senate 99-163, relating to a limited waiver of the work search requirement, ability to work and availability for work and various minor changes relating to unemployment insurance. (Workforce Development)

A copy of this rule was sent to you on July 3, 2000. Dan Fernbach talked to the agency about a provision in this rule and the agency submitted, by letter, a germane modification to the rule. A copy of that letter is enclosed. No action was taken on the rule.

Tommy G. Thompson Governor Linda Stewart Secretary



State of Wisconsin

OFFICE OF THE SECRETARY

201 East Washington Avenue P.O. Box 7946 Madison, WI 53707-7946 Telephone: (608) 266-7552 Fax: (608) 266-1784 http://www.dwd.state.wi.us/

Department of Workforce Development

June 23, 2000

President of the Senate 220 South, State Capitol Madison, Wisconsin 53702

Speaker of the Assembly 211 West, State Capitol Madison, Wisconsin 53702

Notice of Administrative Rules in Final Draft Form

Clearinghouse rule number: 00-046

Rule number: DWD 270.085 and 272.085

Relating to: Student worklike activities that do not constitute employment

Dear Senator Risser and Representative Jensen:

I have enclosed proposed rules in final draft form and a rule report as required by s. 227.19(3), Stats., for referral to the appropriate legislative standing committees. If you have any questions regarding this matter, please do not hesitate to contact us.

Respectfully submitted,

Linda Stewart, Ph.D.

Linda Stewart

Secretary

Tommy G. Thompson Governor Linda Stewart

Secretary



State of Wisconsin http:// Department of Workforce Development

OFFICE OF THE SECRETARY

201 East Washington Avenue P.O. Box 7946 Madison, WI 53707-7946 Telephone: (608) 266-7552 Fax: (608) 266-1784 http://www.dwd.state.wi.us/

Proposed rules relating to student worklike activities that do not constitute employment

Rule Analysis for Legislative Review

DWD 270.085 and DWD 272.085 (CR 00-046)

Need for rules

The state's administrative rules on child labor currently do not contain specific provisions on the status of students who perform services such as helping in the lunchroom or cafeteria or performing minor clerical work in the school office or library. The field operations handbook of the Wage and Hour Division of the U.S. Department of Labor provides that student activities of this type should not be treated as employment under the wage and hour laws as long as certain conditions are met. This rule adopts a policy similar to the federal standards.

Public hearing response

A summary of comments received and the department's response is attached.

Response to Legislative Council staff recommendations

All recommendations of the Legislative Council were accepted.

Final regulatory flexibility analysis

A final regulatory flexibility analysis is not required because the rule will not have a significant economic impact on a substantial number of small businesses.

Department contacts

Robert Anderson Labor Standards Bureau Director Equal Rights Division 266-3345

Elaine Pridgen Administrative Rules Coordinator Office of Legal Counsel 267-9403

State of Wisconsin Department of Workforce Development Equal Rights Division

Student Worklike Activities That Do Not Constitute Employment DWD 270.085 and 272.085

The Wisconsin Department of Workforce Development proposes an order to repeal and recreate s. DWD 272.085 and to create s. DWD 270.085 relating to student worklike activities that do not constitute employment.

Analysis Prepared by the Department of Workforce Development

Statutory authority: Secs. 103.66 and 104.04, Stats.

Statutes interpreted: Sec. 103.66 and 104.04, Stats.

The state's administrative rules on child labor currently do not contain specific provisions on the status of students who perform services such as helping in the lunchroom or cafeteria or performing minor clerical work in the school office or library. The field operations handbook of the Wage and Hour Division of the U.S. Department of Labor provides that student activities of this type should not be treated as employment under the wage and hour laws as long as certain conditions are met. This rule adopts a policy similar to the federal standards.

The proposed rule allows a student to help in the school lunchroom, clean a classroom, act as a hall monitor, or perform minor clerical work in the school office or library for periods of one hour per day or less. Other student worklike activities are not sufficient to constitute employment if they have an educational benefit for the student and do not add more than one hour to the school day. Students performing worklike activities in schools must be supervised by an adult and these activities may not displace a regular employe. Student worklike activities that meet these criteria are not subject to the minimum wage requirements.

SECTION 1. DWD 270.085 is created to read:

DWD 270.085 Student worklike activities. (1) SPECIFIC ALLOWABLE

ACTIVITIES. A student may perform worklike activities in his or her own elementary or secondary school with or without compensation, which shall not constitute employment if all of the following conditions are met:

- (a) The student helps in the school lunchroom or cafeteria, cleans a classroom, acts as a hall monitor, or performs minor clerical work in the school office or library.
- (b) The student performs the activities in par. (a) for periods of an hour per day or less on days school is in session or for longer time periods on days that school is not in session so that the annual total time spent on the activities listed in par. (a) is no more than the equivalent of one hour per school day.
 - (c) The student is supervised by an adult. ?
- (d) The student does not displace a regular employe or reduce previously existing employment opportunities by performing work that would otherwise be performed by regular employes.
- (2) CONDITIONS FOR OTHER STUDENT WORKLIKE ACTIVITIES. A student may perform worklike activities, other than those listed in sub. (1) (a), in his or her own elementary or secondary school, with or without compensation, which shall not constitute employment if all of the following conditions are met:
- (a) The activity is basically educational and is conducted primarily for the benefit of the student.
- (b) The time in attendance at school plus the time spent at the activity does not exceed the time that the student would be required to attend school under a normal academic schedule by more than one hour per day.
 - (c) The student is supervised by an adult.
- (d) The student does not displace a regular employe or reduce previously existing employment opportunities by performing work that would otherwise be performed by regular employes.

SECTION 2. DWD 272.085 is repealed and recreated to read:

DWD 272.085 Student worklike activities and employment. (1) INDEPENDENT COLLEGES AND UNIVERSITIES. (a) Independent colleges and universities may employ full-time students who are 18 years of age and over for 20 hours per week or less at the federal minimum wage rates established under 29 USC 206.

- (b) Students who work at independent colleges or universities for over 20 hours per week shall be paid at the rates established under s. DWD 272.03.
- (2) ELEMENTARY AND SECONDARY SCHOOLS. Student worklike activities that meet the criteria of s. DWD 270.085 are not covered by the minimum wage provisions of this chapter.

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.

Summary of Public Hearing

Proposed rules relating to student worklike activities that do not constitute employment

DWD 270.085 and DWD 272.085 (CR 00-046)

A public hearing was held in Madison on March 30, 2000. The hearing record was left open until April 7 for receipt of written comments.

Comments were received from:

- Faye J. Stark, Assistant State Superintendent (speaking on behalf of the Superintendent)
 Department of Public Instruction
 Madison
- 2. Phil Neuenfeldt, Secretary-Treasurer Wisconsin State AFL-CIO Milwaukee
- 3. Robert Kraig, Political Director Service Employees International Union (SEIU) Wisconsin State Council Milwaukee

Copies of all three comments are attached.

Summary of comments	Department response
1. Faye Stark DPI	
The state superintendent strongly supports this rule. Necessary to give teachers and school staff discretion. Promotes students' responsibility, respect for work, selfesteem, contributions to others' welfare, and citizenship.	
2. Phil Neuenfeldt AFL-CIO	
Add to DWD 270.085(1) the same language related to displacement that appears in (2)(c).	Department agrees.

Summary of comments	Department response
3. Robert Kraig SEIU	Emir #0
Employe displacement is likely to occur notwithstanding the rule prohibition.	A student is generally limited to participating in these activities for no more than one hour per day. The turnover of students performing these activities for less than one hour at a time makes it unlikely that students will accomplish a significant amount of necessary work.
b. The term "basically educational" is vague and over broad.	No change. The department respects the professional judgment of teachers and school staff in determining what activities support educational goals for their students. Potential violations will be reviewed on a case-by-case basis.
c. Students could get hurt and not be eligible for workers compensation.	This rule is promulgated by the Equal Rights Division and exempts certain student activities from restrictions under child labor laws and minimum wage requirements. The effect of this provision on a determination by the workers compensation program is unknown. If a student is injured and is not covered by workers compensation, the student's injury will likely be covered by a school's liability insurance.
 d. The rule should specify that student worklike activity should be supervised by full-time school employes. 	The rule is changed to require supervision by adults.

br wys agt

TESTIMONY ON RULE—DEPARTMENT OF WORKFORCE DEVELOPMENT

MARCH 30, 2000

Good morning. My name is Faye Stark. I am an Assistant State Superintendent for the Division for Finance and Management in the Department of Public Instruction and am here to testify on behalf of the State Superintendent on the rule affecting student worklike activities that do not constitute employment.

The state superintendent strongly supports the promulgation of this rule.

We believe this rule is necessary to clearly permit teachers and other school staff discretion in requiring "worklike activities" as part of the instructional program. Such activities can provide a lesson in responsibility and can instill respect for work and for contributions to others' welfare by students. We believe many students and their parents welcome the opportunity to engage in worklike activities during the school day. Participation in worklike activities can be a valuable learning experience and enhance self-esteem or self-confidence for many students.

Worklike ativities can be an important part of a school district's efforts to promote "citizenship," as part of the school district's mission by promoting student involvement in <u>helping</u> the larger community.

The following quotes from a very well received "Citizenship Tool Kit" developed by department staff to encourage "citizenship" programs in all our schools:

To help students become caring, contributing, productive, and responsible citizens, the entire school program must reflect a clear commitment to helping students acquire the skills, attitudes, values and knowledge to achieve the idealA renewed emphasis on the attitudes and commitments required to practice and live the core citizenship values is needed in all of our school curriculums and programs."

Why does citizenship belong in the school? Again, I will quote from our "Took Kit":

"To help students become caring, contributing, productive and responsible citizens, school activities should be planned to provide numerous occasions for the practice of citizenship by students in both classroom and school-wide activities. Students can improve their citizenship by helping others in well-planned tutorial activities, serving as teachers' aides, acting as playground monitors for younger children, helping keep their school and classroom clean, observing school rules.... And, as in a well-conceived academic program, adults must encourage students to strive for excellence in displaying character with as much elaboration and enthusiasm as they might apply to academic success...

The state superintendent has made "citizenship" a major initiative in his administration.

We believe the rule will ensure that teachers and other school staff are not prohibited from requiring activities that can clearly enhance the goals of citizenship. We thank the Department of Workforce Development for forwarding this rule and for providing us an opportunity to testify in support of it.

CHARTERED 1958

6333 W. BLUEMOUND RD., MILWAUKEE, WISCONSIN 53213 PHONE (414) 771-0700 FAX (414) 771-1715

David Newby, President • Sara J. Rogers, Exec. Vice President • Phillip L. Neuenfeldt, Secretary-Treasurer

April 4, 2000

Elaine Pridgen
Office of Legal Counsel
Department of Workforce Development
P.O. Box 7946
Madison, WI 53707-7946

Dear Ms. Pridgen:

RE: Clearinghouse Rule 00-46

Relating to Student "Worklike" Activities

Unfortunately, we were unable to attend the March 30 hearing on the proposed rule but we do have a concern about the potential displacement of regular public employees. In order to ensure that student "worklike" activities are not used to displace actual workers, we request that the rule be amended in the following way:

Add to DWD 270.085 (1) the same language related to displacement that appears in (2)(c).

We hope that the Department will make this modification to the proposed rule so that the work of regular employees will be properly protected.

Sincerely,

Phil Neuenfeldt Secretary-Treasurer

PN/JR

cc Dennis Boyer, AFSCME Robert Kraig, SEIU Ken Opin, WFT



SERVICE EMPLOYEES
INTERNATIONAL UNION
AFL-CIO, CLC

WISCONSIN STATE COUNCIL

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Jean Heberlein
Meredith Oehlkers
Louis Schneider
Dian Palmer

8021 W. Tower Avenue Milwaukee, WI 53223-3215 414.357.8160 Fax: 414.357.8166

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April 7, 2000

Elaine Pridgen
Office of Legal Counsel
Department of Workforce Development
P.O. Box 7946
Madison, WI 53707-7946

Dear Ms. Pridgen:

RE: Clearinghouse Rule 00-46, (DWD 270.085) Student "Worklike" Activities

I am sorry we were unable to attend the public hearing on this rule. We have four concerns about the rule.

First, we are concerned that the student "worklike" activities permitted by the rule will ultimately displace regular work, notwithstanding section (2) (c). Unlike wage and hour laws, there is no easy way to quantify whether or not employment opportunities have indeed been displaced. Indeed, by definition if necessary work is done by students, the opportunity for regular employment has been reduced.

Second, we are also concerned that the term "basically educational" is both vague and over broad. In order to assure that the "worklike" activities are really of educational value, there should be clearer standards which include how the work contributes to educational goals, and how and when achievement will be measured.

Third, we are concerned that this rule will have the unintended consequence of causing students to undertake occupational risks that are not taken by regular employees. Students will be permitted to work in potentially hazardous areas such as cafeterias, and yet because it is not regular employment they will not be eligible for workers compensation. As a result, a student could suffer a disabling injury and receive no compensation for the injury. Moreover, because many school age children are without any health insurance, they also may not receive sufficient medical treatment if they are injured while performing "worklike" activity in their schools. (In support of our contention that school work environments can be hazardous, attached is a partial list of injuries suffered by MPS workers in just the past two days).

Fourth, we believe that the rule should specify that student "worklike" activity should be supervised by full-time school employees.

Sincerely,

And Aky.

Robert Kraig
Political Director, SEIU Wisconsin State Council

Local 150 (Statewide)

Local 21, School District of La Crosse

Local 180, La Crosse City Employees Union

Local 152, Racine Unified School District

Local 168, Kenosha Unified School District Local 1199WI, United Professionals (Statewide)

TO CHIMINALIKEE REPORT OF ACCIDENT TO EMPLOYEE UNDER WORKER'S COMPENSATION ACT UD23440 STITUS EMPLOYEE ELUCISLE FOR INJURY (The Part of Body Asterdad And The Nature of Barby or Imbres) INSIGH A UNIVERSATION ACT INSIGH A UNIVERSATION	TY.OF MILWAUKEE	SEND A	EPURI	IMMEDIA	ATELY	Y - DO	NOTW	VAIT	FOH M	MEDICA	AL REP	CETV	ED M	MD 9	9 2000
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WKC-12 (R. 2/98)

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WKC-12 (R. 2/98)

SEND REPORT IMMEDIATELY - DO NOT WAIT FOR MEDICAL REPORT

RECEIVED MAR 3 1 2000 SEND REPORT IMMEDIATELY - DO NOT WAIT

CITY OF MILWAUKEE		5 / 1 / 2 / 1 / 1	or wall ro	H MEDICAL F	EPORI	
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KLUGE CAFE	TRIME (MESU		OYEE BEING PAID		//>
PENSION #	TYPE OF INJURY (The Part	of Body Affected And The	Nature of Injury	or iliness)	? INJURY []	SICK NO-PAY
44488	RIGHT & L	EFT HAND	- CH	RPAL	VUNA	56
Personal Information you provide m	ay be used for secondary purpo	ses (Privacy Law, s. 15.04(1)(m)l. See idet	ructions for con	notine this to	
Employe Name (First, Middle	e, Last)	Social Security No	ımber & Se		me Telephone No	
5 Shirley	INN Mobers	1296-42	-653	144		
P Employe Street Address		/ City	Sta		461-1	1887 1
6 6900 W.(1)	ARMEN AU	E. MIL	10. 11	III Zip Code	215	Od Service Ass
Birthdate Mo. : Day : Year	Date of Hire	County and State	where accident o	r exposure occurred	1	242810188733
Ening Ila	4-26-93			1	111	
5 1 33 10		11110	WAY	Ree,	$\mathcal{N}\mathcal{L}$.	
Employer Name	\\	/I Unemployment Insuranc	e Account No.	Self-Insured?	Nature of Bus	INESS (specific product)
City of Milwau	Kee	69137		⊠Yes □No	Mun	icipality
Di Limpioyer Maining Address	inal D ==:	City	. Stat	e Zip Code		er FEIN:
200 E. Wells S		Milwauk	ee	WI 532	202 3	96005532
B'4	ation Insurance Co. or Self-Ins				Insurer	FEIN:
	kee				3	96005532
Name and Address of Third	Party Administrator (TPA) use	d by the Insurance Compa	ny or Self-Insure	d Employer.	TPA FE	IN:
N/A					N	/A
Wage at Time of Injury	Specify per hr., wk., mo.,		Wages,	Meals No.	of Meals/wk.	
s 4,21 V	Per he.	Check Box(e Employee Re	. 63666.6		of Days/wk.	
Is worker paid for overtime?	Yes No If yes, af			Tips Avg	J. Weekly Amt. \$	
				·		
Employe's Work Schedule				For the 52 week pe	riod prior to the d	ate the injury occcured,
when injured	7:15am 55	YRS. 25 hrs	5 DA118	work, and the total	wages, salary, co	orked in the same kind of mmission and bonus or
0	J.	()	ر در در در در	premium earned fo	r such weeks.	the wife of
Employe's Normal Full-time	سي مسامم را الت	110 00	-din	No. of Wks. Gro	ss Amount	If Piece Work-No. of
Schedule for Injured's Work	7:15 AM 5	112 25/125	2443	Exc	luding Tips	Hrs. excluding overtime
	Sahadalad U. B. A. II			s	· ·	
	Scheduled Hrs. Per Are the Week the sai	ere other part-time workers me work with the same sch	doing	□ No i emp	ber of full-time oyes doing the sa	
N	•	how many?	_		of work	mie
Injury Date HERON			ployer Notified	TC12 : 2 :		
Mo Day Yaq		Day XI Mo	Day Yr	☐ Date Returned ☐ Estimated Date	ito Work	Mo Day Yr
Did injury cause death?	Was this a lost time or other co	ac acic 1	1444	No Lost Time	1401	AVHIAHEA
Yes No	Yes No If no, insure	ompensable injury? er does not submit	Did injury occ		Failure to Use	Failure to
	report to D\	ND	Substance	・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・	☐ Safety Devic	es Obey Rules
	Name, Relationship, and Addr	ess of Closest Dependent	of Deceased if In	jury Caused Death		= 0
B We say II		•		•	•	MAR
Name of Witnesses					·	N Z
1	وق براعات العصيب	- :				α ν.
Name and Address of Treating	ng Practitioner and Hospital		·			
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or exposure occurred. Include	appened to cause this injury o e name(s) of other individuals	r Illness? Describe the emp	oloye's activities	when the injury orall	ness occurred wil	A detalls of how the event
A CAShAD	1/201	de na d'à a cois, ille	aumiery, objects,	onemicais, etc. tha	ı were involved in عرفي الم	or caused the injury.
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Report Prépared, By	AND SOUTH A	ALL S	•			
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CERTALLIA 11	showshitth 1	5357,413	MOR X	DINVILL	call.	
WKC-12 (R. 2/98)	SEND REPORT IM	MEDIATELY - DO NO	T WAIT FOR	MEDICAL REP	ORT	

SEND REPORT IMMEDIATELY - DO NOT WAIT FOR MEDICAL REPORT CITY OF MILWAUKEE FORM EB-49-3/98 REPORT OF ACCIDENT TO EMPLOYEE '9RECEIVED MAR 2 9 2500 UNDER WORKER'S COMPENSATION ACT REGULARLY WOBKED IN EMPLOYEE HEALTH PHAN IS THIS EMPLOYEE ELIGIBLE FOR INJURY PAY? VES NO T HOW IS EMPLOYEE BEING PAID? INJURY SICK NO-PAY TYPE OF INJURY (The Part of Body Affected And The Nature of Injury or Illness) STRAINED Personal Information you provide may be used for secondary purposes [Privary Law s. 15.04(1)(m)]. See instructions for completing this form on reverse side Employe Name (First, Middler, Last) Social Security Number Sex: Employe Home Telephone No. Birthdate County and State where accident or exposure occurred Day WI Unemployment Insurance Account No. Self-Insured? Nature of Business (specific product City of Milwaukee 69137 Yes No Municipality **Employer Mailing Address** City State Zip Code Employer FEIN: 200 E. Wells Street, Rm. 701 Milwaukee WI 53202 396005532 Name of Worker's Compensation Insurance Co. or Self-Insured Employer Insurer FEIN: City of Milwaukee分,但是在多数人名法特别人名法特别人名法特别人名法特别 396005532 Name and Address of Third Party Administrator (TPA) used by the Insurance Company or Self-Insured Employer. TPA FEIN: N/A Stower Sec. 2008 1. 14 C 1 ជាទី២២៦ គេប្រ Part Translation of State ು N/A Wage at Time of Injury Specify per hr wk., mo., yr., etc. In Addition to Wages,... Meals No. of Meals/wk. .. Check Box(es) if $\mathsf{Room} \subseteq \{ \cdot_i \}_{i \in I}$ No. of Days/wk. **Employee Received:** Tips . Avg. Weekly Amt. \$ Is worker paid for overtime? Yes No If yes, after how many hours of work per week? Hrs. Per Day Hrs. Per Wk. Start Time Days Per Wk. For the 52 week period prior to the date the injury occcured. Employe's Work Schedule report below the number of weeks worked in the same kind of when injured work, and the total wages, salary, commission and bonus or premium earned for such weeks, Employe's Normal Full-time No. of Wks. **Gross Amount** If Piece Work-No. of Schedule for Injured's Work **Excluding Tips** Hrs. excluding overtime Scheduled Hrs. Per Are there other part-time workers doing Part- Time Employment Number of full-time Week the same work with the same schedule? Yes Information: employes doing the same type of work If yes, how many? Injury Date Last Day Worked Time of Injury Date Employer Notified Date Returned to Work Day Yr PM 03 22 50 Estimated Date of Return
No Lost Time. 00 Was this a lost time or other compensable injury? Did injury cause death? Did injury occur because of: Failure to Use. Yes No If no, insurer does not submit Yes No Substance Abuse ☐ Safety De Obey Rules report to DWD Name, Relationship, and Address of Closest Dependent of Deceased if Injury Caused Death Date of Death Name of Witnesses Name and Address of Treating Practitioner and Hospital Injury Description - What happened to cause this injury or illness? Describe the employe's activities when the injury or illness occurred with the end of how the event or exposure occurred. Include name(s) of other individuals involved. Specify tools, machinery, objects, chemicals, etc. that were involved in or caused the injury.

LEFT FOOT REMAINED STATIONARY, AND KNEE (LEFT)

Regord Prepared By Work Phone No. Posi

FSM

Date Signed

SEND REPORT IMMEDIATELY - DO NOT WAIT FOR MEDICAL REPORT

	I O MICHAUREE	END REPOR	T IMMEDIA	TELY - DO	NOT WAIT	FOR	MEDIC	CAL REP	WED-		·
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PE	47282 TY	PE OF INJURY (The Nature of In	jury or III	ness)			SICK NO-PA	<u>Y []</u>
Pe	sonal Information you provide may b Employe Name (First, Middle, La	e used for seconda	ary purposes (Pri	vacvilay s 15	04(1)(m)) Sac	<u> </u>	ن جن			- 14 ° 47	
	Employe Name (First, Middle, La	ast)	N. Option	Social Securit	y Number	Sex	tions i	or comple	ling this fo	orm on reverse	side.
E	KARFU TOO	75/	150A		111 111-11	t: □ w			eleprione N	en en en en	
P	Employe Street Address	YON	430%	City	9-1704	State	(;,4	+/4) 6	46/	1947	
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Y	Birthdate Mo. : Day : Year	Date of Hire and	10 July 100 (2)	County and S	tate where accide	ent or ex	posure o	occurred.	1 /2	the science	essex
E	10 7 1111	12-08-			425	de 🛶			. N V.		•
	Employer Name	12 08		Nuls		<u> </u>			-		
=	City of Milwauke	•			rance Account N	1	Self-Insu		lature of Bus	iness (specific product)	
M	Employer Mailing Address	-		137			XYes	□No	Mun	icipality	
P	200 E. Wells Stre	et Pm 701		City		State		ip Code	Employ	er FEIN:	
0	Name of Worker's Compensation			Milwa	ukee	W		53202	. 3	96005532	
Y					an and a second				Insurer	FEIN:	
E	City of Milwauke	v Administrator (T	PA) used by the	i Pilipina (Paga) Manusanan Os	a vigulai Petri (B. v.		ئى: د ە د			96005532	
	N/A	, , , , , , , , , , , , , , , , , , , ,	r Ay asea by the	rinsurance Co	mpany or Self-In	sured En	nployer.		TPA FE	IN:	
W	Wage at Time of Injury	Specify per hr.	sk mo vr etc	In Adda			· · · · ·				:
A	. 099 V	b	<i>γ</i>	Check B	ox(es) if	☐ Roc		No. of M		<u> </u>	
G	* 7 - 6 /	70	,,,,		e Received:	☐ Tips		Avg. We	ekly Amt. \$	77.	11.7 °C
=	Is worker paid for overtime?	Yes No I	, ,							ాల్లోని తెలికి మార్క్ మార్క్ మం	ا میں ادام ا ادامہ استان
1	Employe's Work Schedule	Start Time	Hrs. Per Day	Hrs. Per Wk.	Days Per Wk.		the 52 v	week period p	rior to the c	ate the injury occo	ured
R	when injured	9:15	19/1	211	35/	repo	ort belov	v the number	of weeks w	orked in the same mmission and bon	kind of
0		7. 1 3	72	225	223	prer	nium ea	rned for such	ים, שמומוץ, נכ שור weeks.	minission and bon	us or
R	Employe's Normal Full-time	_	11			No.	of Wks.	Gross Ar	nount	If Piece Work-No	
A	Schedule for Injured's Work	•	. "				•	Excludin		Hrs. excluding o	
Ţ	D. T. T. Sob	eduled Hrs. Per		•	· .			\$			
ò	Information:		Are there othe the same work	r part-time work with the same	kers doing schedule?	res [No	Number o	f full-time doing the s		· .* • · · .
N			If yes, how ma				-	type of wo	rk	, , , , , , , , , , , , , , , , , , ,	
		of Injury	Last-Day World		Employer Notifie	ed F	l Date F	Returned to W	lork.	Mo Day	· · · · · · · · · · · · · · · · · · ·
	Mo Day Yr 20 DD	_AM/: 15 PM	Mo Day	Yr Mo	3 20 0] Estima	ated Date of F	Return	Mo Day '	Yr
1	Did injury cause death? Was	this a lost time or	other compens	able injury?	Did injury		No Los		re to Use	Failure to	
N	☐Yes ☐No ☐☐	Yes ∏ Nolfno rep	o, insurer does i on to DWD ≘ ়	not submit	☐ Subst	ance Ab			Safety Device		iles
J		e, Relationship, a	nd Address of C	losest Depend	lent of Deceased	if Injury	Caused			= 4	· ; :
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Y	Name of Wilnesses	· / · · · · · · · · · · · · · · · · · ·		· · · · · · · · · · · · · · · · · · ·	<u>.</u> පු _{රු ව} ැදු ද		,	14 12 13		N Z	
ľ	M/- 1	Z D	,					**!	* 1/	w on	
N	Name and Address of Treating P	ractitioner and Ho	cnital		·					ע ב	
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R		<u> </u>		<u> </u>	<u> </u>			• •		6 7	*
M	Injury Description, What happe or exposure occurred. Include na	ned to cause this me(s) of other ind	injury or illness ividuals involved	? Describe the	employe's activit	ies wher	the inju	ury or illness	occurred wi	h details of how th	e event
A	1 0.T			opodny 10013	, macrimery, our	ecis, che	micais,	etc. that were	e involved ir	or caused the inju	ry.
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	Report Prepared By	Work	Phone No.		Position				····	- 	
	Konen John	14) NES	14,14	5-194	V F	0 1	1		<i>a</i> -	Date Signer	d Land
		SEND REPO	RT IMMEDIA	TELV DO	NOTWALE		211	ucz.	Cicai	2613/20/	1111
	WKC-12 (R. 2/98)				LUCK UZALI P	SIT ME	DICAL	HEPORT		/ /	

CITY OF MILWAUKEE	SEND REPO	IRT IMMEDI	ATELY - [NOT WAIT	FOR M	EDICAL REP	ORT		
FORM EB-49-3/98		•					EIVE	D MAR 2	É
1500-1089	UNDER	RT OF ACCI WORKER'S	COMPENS	MPLOYEE	10-	1429		- MAR &	h 5000
DEP ARTMENT REGULARLY WORKED									
Brown		\		IS THIS E	EMPLOYEE	ELIGIBLE FOR IN	JURY PAY	?/X YES	NO
PENSION #	TYPE OF IN THE	imera	res	al illuture.	-0			SICK NO-	
61964	TYPE OF INJURY	(The Part of Bo	nà vuecied Vi	id Title Nathrelot I	anlil on Villag	255)		.,,,,	PATU
017.64			3ER	VICES 397	HST				
ersonal Information you provide Employe Name (First, Mide	may be used for secon	dary purposes [Pr	wacy Law, s. 1	5.04(1)(m)]. Seg	instructi	ons for comple	ling this fo	YM OR INVOC	
E D	7 1 2	/	Social Soci	rity Number	Jex	Employe Home T	elephone N	0.	se side.
Roudell?	Starks		1374-	W91-3994			466-0		3-326
Employe Street Address	the would	open	City		State	Zip Code			
L 4431 N 35	5 4451 N. 1	W	milu	nauKee	WI	53209		upation_ SHI ~	
Sirthdale Mo. : Day : Year	Date of Hire 2	19/94		State where accid		sure occurred	10	247 6	
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Employer Name	•	WI Uner	nployment Ins	surance Account N	lo. Se			iness (specific product	
City of Milwai	nkee	. 6	9137		Ø	Yes No		icipality	•
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200 E. Wells S	Street, Rm. 70	1	Milw	aukee	WI	53202	1 ' '	96005532	
Name of Worker's Compen		or Self-Insured 8	mployer		·	1 30202	Insurer		
City of Milwai							i i		
Name and Address of Third	Party Administrator	(TPA) used by th	e Insurance C	ompany or Self-In	sured Emo	lover	TPA FE	96005532	
N/A			/			,			
Wage at Time of Injury	, Specify per hr.,	wk., mo.; yr., el	. In Addi	lion lo Wages,	. Meais			/A	
10.5 100	/ Per Ho		Check	Box(es) if	Room	710. 01 ///			
	'		Employ	ea.Received:	Tips		ekiy Amt. \$		
Is worker paid for overtime	Yes No.	.lf.yes_after hov	many hours	of work per week?	?				
	Start Time	. Hrs. Per Day	Hrs. Per Wk	. Days Per Wk.	For the	e 52 week period n	sine to the d	-1- 11 11	
Employe's Work Schedule when injured	13:30		40475		report	e 52 week period p below the number	of weeks w	orked in the sam	an bind of
		8Hrs	4000	5days	work,	and the total wage: um earned for such	s. salary, co	mmission and b	oun, ot
Employe's Normal Full-time	12:30	<u> </u>			promi	on eather for such	weeks.		
Schedule for Injured's Work	. 1	- ·	112	1-10	No. of	- C. C. C. C. C.		If Piece Work-	
3	9:00	Shis	40 hrs	5 days	1	Excluding	Tips	Hrs. excluding	overtime
Part- Time Employment	Scheduled Hrs. Per	Are there other	L part-lime w	skara dai-		s			
Information:	Week	the same work	k with the san	rkers doing ne schedule?	Yes 🔲 N	Number of employes		me	
j		if yes, how ma	any?		_	type of wo	doing the sa rk		
Injury Date	Time of Injury	Last Day Wor		te Employer Notifie	ed In-	Into Date			
3 21 00	AM (3:49	Mo Day	Yr M	O Day Yr	. 🗖 🗉	late Returned to Wistimated Date of R		Mo Day	Yr !
Oid injury cause death?	Was this a lost time of		00 3			lo Lost Time			
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Injury Description - What hor exposure occurred, include	appened to cause thi	s injury or illness	? Describe th	e employe's activit	lies when th	e injury or illness	OCCURION	Edate Dat have	the event
or exposure occurred. Includ	FING 10 eac	dividuals involve	d. Specify too	ls, machinery, obje	ects, chemi	cals, etc. that were	involved in	or caused the in	nie eveni Nury
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CITY OF AN AND	SEND REPO	RT IMMEDIA	ATELY - [O NOT WAIT	r Foe M	EDICA RE	CEIVET	.	
CITY OF MILWAUKEE FORM EB-49-3/98	PEDO	DT 05 4000				CDICAL REP	-OHAV C.L	MAR 2	9 200
150-045	ONDEA	RT OF ACCID WORKER'S	DENT TO E COMPENS	MPLOYEE ATION ACT	10	15444			
DEPARTMENT REGULARLY WORKE	D IN EMPLOYEE HEAL	TH PLAN		IS TIME S	بكرا	- (/ /			
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65866	TYPE OF INJURY	(The Part of Boo	y Affected Ar	of The Medical Co			INJURY S	ICK NO-	PAY 🗌
Personal Information you provid	I TTEFTE L	inger on	Right H	and - Cut	and Br	uised Fing	er		
	iddle, Last)	ary purposes [Pri	Social Secu	5.04(1)(m)]. See	instruction	ons for comple	ting this for	m on revers	e side
Sally A. Gal				0-1029	Sex M	Employe Home	Telephone No.		
Employe Street Address			City	7 1027	XXF	(414)	353-79	71 L	
L 4706 West Mi. Birthdate		V	Milwaul		State WI	Zip Code 53218 C	Foo	edion d Server	70,
Mo. Day Year	Date of Hire	131/95	County and	State where accid	ent or expo	sure occurred		- 001701	734
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Employer Name		WI Unem		urance Account N		if-Insured?	loture of C		
City of Milwa M Employer Mailing Address		69	137		- 1	Yes No	Nature of Busine		1
	s Street, Rm. 701		Cily		State	Zip Code	Employer	ipality	
Name of Worker's Compe	ensation Insurance Co.	of Self-Incured E	Milw	aukee	WI	53202		6005532	•
City of Milwa	aukee			i			Insurer FE		<u>-</u>
Name and Address of Thi	rd Party Administrator (TPA) used by the	Insurance C	ompany or Self-lo	Surad S			6005532	
,, .	/			The state of the s	suled Cmpi	oyer.	TPA FEIN	•	
Wage at Time of Injury	Specify per hr.,	wk., mo., yr., etc.		ion to Wages,	☐ Meals	No. of M	N/A	\	
s 9.30 V	Hourly		Check E Employe	Box(es) if	Room	No. of Da	ays/wk.		·
Is worker paid for overtime	? Yes XX No	If yes, after how		f work per week?		Avg. Wed	ekły Amt. \$		
N Employe's Work Schedule	Start Time	Hrs. Per Day			T	52 week point		<u>.</u>	
when injured	7:30 am	1, 1			1	52 week period poelow the number	Of Weeks work	ad in the en-	- 1-:
when injured C		4.5	22.5	5	, work, a	nd the total wages m earned for such	S. Salary come	nission and bo	nus or
Employe's Normal Full-time Schedule for Injured's Wor					No. of V				
A T	7:30 am	4.5	22.5	5		Excluding		Piece Work-N Irs. excluding	lo. of overtime
Part- Time Employment	Scheduled Hrs. Per	Are there other	part-time wor	kers doing		s			
Information:	Week	me same work	with the same	schedule?	es 🔲 No	: cuibioles (doing the same		
Injury Date	Time of Injury	If yes, how man				lype of wor	k		
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Did injury cause death?	Was this a lost time or		03	03 2000		timated Date of Ro Lost Time	eturn		
Yes XXNo	I The Thouse), insurer does n	ol submit	Did injury o	occur becau	ise of: Failur	e lo Use	Failure to	
Date of Death	Name, Relationship, an	ort to DWD	Osest Deposed	J SUBSIA	nce Abuse	Sa	afety Devices	Obey R	ules
Mo Day Yr			oocst Depend	ent of Deceased i	f Injury Cau	sed Death			
Name of Witnesses								S M R R S	
Name and Address of Treat	ling Practitioner and Hos	spital						NS NS	
							1	> %	
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SEND REPORT IMMEDIATELY - DO NOT WAIT FOR MEDICAL REPORT

Milwaukee Journal Sentinel July 18, 2000

Change in rules lets students do chores

Agency revises guidelines so punishment assigned at school meets labor laws

By DENNIS CHAPTMAN of the Journal Sentinel staff

Madison — Children could be assigned to perform chores at school as punishment without fear of violating child labor laws, under revised rules announced Monday by a state agency.

"Teachers and school staff deserve to have discretion when it comes to making decisions on student activities," said Linda Stewart, secretary of the Department of Workforce Development. "They shouldn't have to worry about whether working in the lunchroom during a

15-minute recess constitutes employment."

The rules were rewritten after a state investigator ruled in November that an elementary school librarian in the Monona Grove School District illegally "hired" an 8-year-old by having him work off a \$9.25 library debt by working during recess.

The librarian proposed that the student work during 19 afternoon recesses, at 50 cents per recess, to repay the library for damaged materials. The child's father, Larry K. Volkey Jr., complained of the "forced labor" and filed a complaint with the state.

The investigator found that the 50-cent per recess arrangement violated a state child labor law that prohibits anyone under the age of 12 from working.

Under the rule changes, however, student work would not constitute employment if it has an educational benefit to the student and does not add more than one hour to the school day. An adult also must supervise the student, and the work the student performs cannot displace another worker.

"Common sense dictates that we make this change," Stewart said in a statement. "It is reasonable to assume that a student who helps out in the school cafeteria or library for less than an hour a day is not an employee."

The changes, which bring state policy more in line with federal standards and have the backing of the state Department of Public Instruction, need the approval of the Legislature before they can take effect, Stewart said.

Eskeitz, Anne

From:

Eskeitz, Anne

Sent:

Thursday, August 03, 2000 3:26 PM

To: Subject:

Markham, Kimberly; Anderson, Bob; Donoghue, Sheehan; Smith, Richard; Pridgen, Elaine

CR 00-046 - Meeting called by Sen. Baumgart, Chair, Senate Labor Committee Meeting

The meeting on the above rule is scheduled for Tuesday, Augsut 8, at 9:30 AM. It will be held in the 330 SW Hearing Room.

Note to Kimberly Markham:

Jennifer Kammerud from the School Administrators is planning on attending as well as Sherry Krause from the School Boards Association

Any questions: Contact Anne Eskeitz, Committee Clerk 6-2056

Eskeitz, Anne

From:

Fernbach, Dan

Sent:

Monday, August 14, 2000 2:37 PM

To:

Eskeitz, Anne

Subject:

RE: CR 00-046 - Geermane Modification

Anne--

AFter looking at the department's germaine modification, I'm o.k. with the 2nd sentence which is what they said they would do at the meeting last week. However, I am unsure what the intention of the last sentence is. They didn't mention anything like that at the meeting.

Dan

----Original Message----

From:

Sent:

Eskeitz, Anne

To:

Monday, August 14, 2000 2:17 PM

Fernbach, Dan

Subject:

CR 00-046 - Geermane Modification

I am sending over, by page, a copy of the official letter from Workforce Development re the germane modification to the above rule as discussed at the meeting the other day. If it is o.k., I will send it to the other committee actions and do the record. It just came in a few minutes ago.

OPTION 1

After DWD 270.085 (2) (d), insert:

"(3) Each school district that permits students to perform worklike activities under this section shall indemnify students against personal injury while performing such activities [under a worker's compensation policy or other policy of insurance or through self-insurance].

OPTION 2

- 1. In s. DWD 270.085 (1) (intro.), after "employment" insert "under Ch. 103, Stats., or this chapter".
- 2. In s. DWD 270.085 (2) (intro.), after "employment" insert "under Ch. 103, Stats., or this chapter".
- 3. After s. DWD 270.085 (2) (d), insert:

'NOTE: This section provides that certain student worklike activities shall not constitute employment under Wisconsin's child labor laws. Such activities, however, may be considered employment under other state laws, such as Ch. 102, Stats., Worker's Compensation, that are designed to protect the health and safety of employees.

Eskeitz, Anne

From:

Joanne Ricca [jricca@execpc.com]

Sent: To: Thursday, April 13, 2000 11:50 AM Anne.Eskeitz@legis.state.wi.us

Subject:

Clearinghouse Rule 00-46

Dear Anne,

Clearinghouse Rule 00-46, submitted by the Dept. of Workforce Development, may be referred to the Senate Labor Committee at some point in the weeks ahead. It relates to "student worklike activities that do not constitute employment". Please let Senator Baumgart know that the Wisconsin State AFL-CIO and several affiliated unions have concerns about this rule, based on the language currently proposed by the department. We do not know if the rule will be modified based on our comments submitted to the department, but we did want to alert Senator Baumgart of concerns around this child labor regulation.

Joanne

Ricca

Legislative

Staff