

## 2011 DRAFTING REQUEST

### Bill

Received: **09/30/2011**

Received By: **gmalaise**

Wanted: **Soon**

Companion to LRB:

For: **Peter Barca (608) 266-5504**

By/Representing: **Matt Egerer**

May Contact:

Drafter: **gmalaise**

Subject: **Employ Priv - job training  
Unemployment Insurance**

Addl. Drafters: **jkuesel**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Barca@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

### Pre Topic:

No specific pre topic given

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### Topic:

Notification to local workforce development board when worker files for unemployment compensation

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### Instructions:

See attached--require DWD to notify local workforce development board when unemployed worker files for unemployment compensation and require board to offer services.

---

### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 10/03/2011 jkuesel 10/11/2011	wjackson 10/13/2011		_____			State
/1			rschluet 10/13/2011	_____	lparisi 10/13/2011		State
/2	gmalaise	kfollett	rschluet	_____	ggodwin	ggodwin	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	11/10/2011	11/10/2011	11/10/2011	_____	11/10/2011	11/10/2011	

FE Sent For:

*at intro*  
*12/7*

<END>

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/2	gmalaise	kfollett	rschlue	_____	ggodwin		

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/1			rschluet 10/13/2011	_____ _____	lparisi 10/13/2011		

*[Handwritten signature and initials over the Drafting History table]*

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<END>

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Unemployment Insurance**

Addl. Drafters: jkuesel

Extra Copies:

Submit via email: YES

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**Topic:**

Notification to local workforce development board when worker files for unemployment compensation

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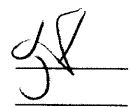
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**Instructions:**

See attached--require DWD to notify local workforce development board when unemployed worker files for unemployment compensation and require board to offer services.

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1? /1	gmalaise jkuesel 10/11/11	1 WJ 10/11/12					

FE Sent For:

<END>

## Malaise, Gordon

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**From:** Egerer, Matt  
**Sent:** Friday, September 30, 2011 11:46 AM  
**To:** Malaise, Gordon; Hanaman, Cathlene  
**Cc:** Kuesel, Jeffery  
**Subject:** RE: Barca Priority Draft

I think we want to split the difference for now and just require that the local board be notified. Lets also do what we can to revamp the Act 87 process to require not only that the workers in plant closing/mass layoff receive the info on the local workforce dev board, but also that the board is notified who those displaced workers would be in the same manner DWD would be notified.

Talking to people on the workforce dev board side it seems that they have resources beyond what DWD can provide, but they feel they are a bit hampered in how to get these services to the recently displaced, who likely are having a tough time personally and may not realize how important it is to try to get right back into the job pool to avoid large gaps in employment (which is being held against applicants in hiring).

Matt Egerer  
Office of Representative Peter Barca  
Assembly Democratic Leader  
608.266.5504

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**From:** Malaise, Gordon  
**Sent:** Thursday, September 29, 2011 10:55 AM  
**To:** Hanaman, Cathlene  
**Cc:** Kuesel, Jeffery; Egerer, Matt  
**Subject:** RE: Barca Priority Draft

P.S. Another approach that might work would be to require the person who receives the UC application to provide the unemployed worker with contact information for the local workforce development board. That's how 2009 Act 87 was structured for workers dislocated by a plant closing or mass layoff.

---

**From:** Malaise, Gordon  
**Sent:** Thursday, September 29, 2011 10:46 AM  
**To:** Hanaman, Cathlene  
**Cc:** Kuesel, Jeffery  
**Subject:** RE: Barca Priority Draft

Or perhaps Jeff and I since filing for unemployment compensation triggers the requirement. The person who receives the unemployment comp application would notify the local workforce development board established under 29 USC 2832. Then to complete the action, I could add a sentence to s. 106.11 to say, "When the local workforce development board receives a notice uinder s. 108.xx (x) (x) that an individual has filed for unemployment comp, the board shall contact the individual and offer career planning, job search, job skills training, and other support services to the individual."

But Jeff would know where in ch. 108 to place the notice requirement.

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**From:** Hanaman, Cathlene  
**Sent:** Wednesday, September 28, 2011 6:20 PM  
**To:** Malaise, Gordon  
**Subject:** FW: Barca Priority Draft

Is this you, Gordon?

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**From:** Egerer, Matt  
**Sent:** Wednesday, September 28, 2011 5:26 PM  
**To:** Hanaman, Cathlene



**Subject:** Barca Priority Draft

We want to put in another priority bill draft request.

We would like to require DWD to notify the local Workforce Development Board when an individual files for unemployment. That way the local Workforce Development Board can be proactive in pursuing unemployed workers, and attempt to reduce employment gaps for individuals.

Matt Egerer  
Office of Representative Peter Barca  
Assembly Democratic Leader  
608.266.5504



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-3053/7  
GMM&JTK  
9 Wlj

Thursday, 10/13

Please fix request sheet

Gen Cat

- 1
- 2
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- 5

AN ACT <sup>Gen Cat</sup> ..., relating to: requiring the <sup>Department of Workforce Development</sup> local workforce development board <sup>to</sup> ~~to be~~ <sup>notify the</sup> notified when a claimant applies for unemployment insurance benefits and the local workforce development ~~that~~ board to provide support services information to the claimant and requiring <sup>an employer to notify</sup> the local workforce development board ~~to be notified~~ of a business closing or mass layoff.

**Analysis by the Legislative Reference Bureau**

Under the federal Workforce Investment Act of 1998, local workforce development boards (local boards) are established throughout the state to provide employment and training activities in the areas served by those local boards. This bill requires the Department of Workforce Development (DWD), when a claimant applies for unemployment insurance benefits, to notify the local board serving the area in which the claimant resides and the local board, on receiving that notice, to provide to the claimant information on the career planning, job search, job skills training, and other support services that are available in the area served by the local board for individuals seeking employment.

Under current law, any employer employing 50 or more persons in this state (employer) who decides upon a permanent or temporary shutdown that affects 25 or more employees (business closing) or upon a reduction in force affecting at least 25 percent of the employer's workforce or 25 employees, whichever is greater, or affecting at least 500 employees (mass layoff) must notify, among others, <sup>DWD</sup> and any employee who loses, or who may reasonably be expected to lose, his or her employment with the employer because of the business closing or mass layoff (affected employee). The notice to an affected employee must include contact

\*

\*

information for the local board serving the area in which the employment site is located and, if available, a list prepared by the local board of resources that provide support services to affected employees. This bill requires an employer that decides upon a business closing or mass layoff to also provide notice of that action to the local board serving the area in which the employment site is located.

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

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

1           **SECTION 1.** 106.11 of the statutes is amended to read:

2           **106.11 Workforce investment programs.** The department shall cooperate  
3 with the federal government in carrying out the purposes of the federal Workforce  
4 Investment Act of 1998, 29 USC 2801 to 2945. In administering the programs  
5 authorized by that act the department shall, in cooperation with other state agencies  
6 and with local workforce development boards established under 29 USC 2832,  
7 establish a statewide workforce investment system to meet the employment,  
8 training, and educational needs of persons in this state. If a local workforce  
9 development board anticipates that there may be a business closing or mass layoff  
10 under s. 109.07 in the area served by that board, the board may prepare a list of  
11 resources available in that area that provide career planning, job search, job skills  
12 training, and other support services for affected employees, as defined in s. 109.07  
13 (1) (a), including contact information for those resources, for distribution to those  
14 employees under s. 109.07 (1m) (a). If a local workforce development board receives  
15 notice under s. 108.14 (7) (a) that a claimant has filed an application for  
16 unemployment insurance benefits, the board shall provide to the claimant  
17 information on the career planning, job search, job skills training, and other support

1 services that are available in the area served by the board for individuals seeking  
2 employment.

History: 1985 a. 29 ss. 43, 45 to 48, 50, 51, 1651 to 1653, 3202 (22); 1993 a. 399, 446; 1995 a. 27 ss. 3694 to 3697, 9145 (1); Stats. 1995 s. 106.11; 1997 a. 27, 39, 112; 1999 a. 9; 2009 a. 87.

3-3  
4  
**SECTION 2.** 109.07 (1m) (a) of the statutes is amended to read:

109.07 (1m) (a) Subject to sub. (5) or (6), an employer that has decided upon  
5 a business closing or mass layoff in this state shall promptly notify the subunit of the  
6 department that administers s. 106.15, any affected employee, any collective  
7 bargaining representative of any affected employee, the local workforce development  
8 board under 29 USC 2832 serving the area in which the affected employment site is  
9 located, and the highest official of any municipality in which the affected  
10 employment site is located, in writing of such action no later than 60 days prior to  
11 the date on which the business closing or mass layoff takes place. The notice to an  
12 affected employee shall also include contact information for the local workforce  
13 development board under 29 USC 2832 serving the area in which the affected  
14 employment site is located and, if available, the list of resources prepared under s.  
15 106.11. The employer shall provide in writing all information concerning its payroll,  
16 affected employees, and the wages and other remuneration owed to those employees  
17 as the department may require. The department may in addition require the  
18 employer to submit a plan setting forth the manner in which final payment in full  
19 shall be made to affected employees.

History: 1975 c. 380; 1983 a. 84, 149; 1983 a. 192 s. 304; 1983 a. 538; 1987 a. 27; 1989 a. 44, 228; 1995 a. 27, ss. 3782 and 9116 (5); 1997 a. 51; 2009 a. 87; 2011 a. 32.

20 **SECTION 3. Initial applicability.**

21 (1) UNEMPLOYMENT INSURANCE BENEFIT CLAIMS. The treatment of sections 106.11  
22 and 108.~~xx~~(~~x~~)(~~x~~) of the statutes first applies to a claim for unemployment insurance  
23 benefits filed on the effective date of this subsection.



2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-3053/linsJTK  
JTK.....

INS 3-2:

SECTION ~~108.14~~ 108.14 (7) (a) of the statutes is amended to read:

108.14 (7) (a) The Except as provided in par. 108.14, the records made or maintained by the department or commission in connection with the administration of this chapter are confidential and shall be open to public inspection or disclosure only to the extent that the department or commission permits in the interest of the unemployment insurance program. No person may permit inspection or disclosure of any record provided to it by the department or commission unless the department or commission authorizes the inspection or disclosure.

<sup>108.14</sup>  
History: 1971 c. 53; 1973 c. 90 s. 559; 1973 c. 247; 1975 s. 343; 1977 c. 29, 133; 1977 c. 196 s. 131; 1977 c. 272 s. 98; 1979 c. 34 s. 2102 (25) (a); 1979 c. 110 s. 60 (11); 1979 c. 221; 1981 c. 36 ss. 18, 45; 1983 a. 8 s. 54; 1983 a. 189 s. 329 (28); 1983 a. 388; 1985 a. 17; 1985 a. 29 ss. 1664 to 1668, 3202 (29); 1985 a. 332; 1987 a. 38, 255; 1989 a. 77, 139, 303, 359; 1991 a. 89; 1993 a. 373, 490, 492; 1995 a. 27, 118, 225; 1997 a. 39; 1999 a. 83; 2001 a. 35, 105; 2003 a. 197; 2009 a. 11.

SECTION ~~108.04~~ 108.04 (7) (d) of the statutes is created to read:

<sup>108.14</sup> 108.04 (7) (d) Whenever a claimant files an initial claim for benefits, the department shall provide the claimant's name and contact information to the <sup>local</sup> workforce development board <sup>under 29 USC 2832</sup> serving the area where the claimant resides.

**Malaise, Gordon**

---

**From:** Miller, Steve  
**Sent:** Wednesday, November 09, 2011 4:20 PM  
**To:** Malaise, Gordon  
**Subject:** FW: Notification of local workforce board draft

**Attachments:** 11-30531.pdf

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**From:** Rep.Sinicki  
**Sent:** Wednesday, November 09, 2011 4:15 PM  
**To:** Miller, Steve  
**Subject:** FW: Notification of local workforce board draft

Hi Steve – we just need a quick /2 on this draft per the following:

“Under the federal Workforce Investment Act of 1998, local Workforce Development Boards (*WFD boards or* local boards) are established throughout the state to provide employment and training activities in the areas served by those local boards. This bill requires the Department of Workforce Development (DWD), when a claimant applies for unemployment insurance benefits, *to provide both the Job Service Center and WFD board serving the area in which the claimant resides with the claimant’s contact information.*”

The rest of the language in the /1 should be deleted.

Sorry this is a bit of a rush – any chance we can get it later tomorrow?

Mary Beth George  
Office of Rep. Christine Sinicki  
20th Assembly District  
608-266-8588

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**From:** Egerer, Matt  
**Sent:** Thursday, October 20, 2011 9:51 AM  
**To:** George, Mary Beth  
**Subject:** Notification of local workforce board draft



11-30531.pdf (35  
KB)

I have this draft back. I have it down as a Sinicki/Barca. Let me know if you see any changes necessary, like if the dev board should be required to reach out to the people, or just notified.

Matt Egerer  
Office of Representative Peter Barca  
Assembly Democratic Leader  
608.266.5504





State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-3053/1  
GMM&JTK:wj:rs

In 11/10  
Today

(2)  
RWR  
e.g.f

2011 BILL

Similarly, state <sup>law</sup> requires the Department of Workforce Development (DWD) to provide a job center network throughout the state through which job seekers may receive career planning, job placement, and job training information.

Regenerato

1 AN ACT to amend 106.11, 108.14 (7) (a) and 109.07 (1m) (a); and to create 108.14  
2 (7) (d) of the statutes; relating to: requiring the Department of Workforce  
3 Development to notify the local workforce development board when a claimant  
4 applies for unemployment insurance benefits and the local workforce  
5 development board to provide support services information to the claimant and  
6 requiring an employer to notify the local workforce development board of a  
7 business closing or mass layoff.

program  
subunit of subunit of  
job center, and the

Analysis by the Legislative Reference Bureau

Under the federal Workforce Investment Act of 1998, local workforce development boards (local boards) are established throughout the state to provide employment and training activities in the areas served by those local boards. This bill requires the Department of Workforce Development (DWD), when a claimant applies for unemployment insurance benefits, to notify the local board (serving the area in which the claimant resides, and the local board, on receiving that notice, to provide to the claimant information on the career planning, job search, job skills training, and other support services that are available in the area served by the local board for individuals seeking employment.

Under current law, any employer employing 50 or more persons in this state (employer) who decides upon a permanent or temporary shutdown that affects 25 or

that administers the

**BILL**

area in which an unemployment insurance  
benefits claimant resides when the claimant  
applies for <sup>those</sup> those benefits

~~more employees (business closing) or upon a reduction in force affecting at least 25 percent of the employer's workforce or 25 employees, whichever is greater, or affecting at least 500 employees (mass layoff) must notify, among others, DWD and any employee who loses, or who may reasonably be expected to lose, his or her employment with the employer because of the business closing or mass layoff (affected employee). The notice to an affected employee must include contact information for the local board serving the area in which the employment site is located and, if available, a list prepared by the local board of resources that provide support services to affected employees. This bill requires an employer that decides upon a business closing or mass layoff to also provide notice of that action to the local board serving the area in which the employment site is located.~~

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:*

SECTION 1. 106.11 of the statutes is amended to read:

~~106.11 Workforce investment programs. The department shall cooperate with the federal government in carrying out the purposes of the federal Workforce Investment Act of 1998, 29 USC 2801 to 2945. In administering the programs authorized by that act the department shall, in cooperation with other state agencies and with local workforce development boards established under 29 USC 2832, establish a statewide workforce investment system to meet the employment, training, and educational needs of persons in this state. If a local workforce development board anticipates that there may be a business closing or mass layoff under s. 109.07 in the area served by that board, the board may prepare a list of resources available in that area that provide career planning, job search, job skills training, and other support services for affected employees, as defined in s. 109.07 (1) (a), including contact information for those resources, for distribution to those employees under s. 109.07 (1m) (a). If a local workforce development board receives notice under s. 106.14 (7) (d) that a claimant has filed an application for~~

**BILL**

~~unemployment insurance benefits, the board shall provide to the claimant information on the career planning, job search, job skills training, and other support services that are available in the area served by the board for individuals seeking employment.~~

SECTION 2. 108.14 (7) (a) of the statutes is amended to read:

108.14 (7) (a) The Except as provided in par. (d), the records made or maintained by the department or commission in connection with the administration of this chapter are confidential and shall be open to public inspection or disclosure only to the extent that the department or commission permits in the interest of the unemployment insurance program. No person may permit inspection or disclosure of any record provided to it by the department or commission unless the department or commission authorizes the inspection or disclosure.

SECTION 3. 108.14 (7) (d) of the statutes is created to read:

108.14 (7) (d) Whenever a claimant files an initial claim for benefits, the that administers this chapter job center under s. 106.14, and the department shall provide the claimant's name and contact information to the local workforce development board under 29 USC 2832, serving the area where the claimant resides.

*Subunit of the*

~~SECTION 4. 109.07 (1m) (a) of the statutes is amended to read:~~

~~109.07 (1m) (a) Subject to sub. (5) or (6), an employer that has decided upon a business closing or mass layoff in this state shall promptly notify the subunit of the department that administers s. 106.15, any affected employee, any collective bargaining representative of any affected employee, the local workforce development board under 29 USC 2832 serving the area in which the affected employment site is located, and the highest official of any municipality in which the affected employment site is located, in writing of such action no later than 60 days prior to~~

**BILL**

1 the date on which the business closing or mass layoff takes place. The notice to an  
2 affected employee shall also include contact information for the local workforce  
3 development board under 29 USC 2832 serving the area in which the affected  
4 employment site is located and, if available, the list of resources prepared under s.  
5 106.11. The employer shall provide in writing all information concerning its payroll,  
6 affected employees, and the wages and other remuneration owed to those employees  
7 as the department may require. The department may in addition require the  
8 employer to submit a plan setting forth the manner in which final payment in full  
9 shall be made to affected employees.

**SECTION 5. Initial applicability.**

10  
11 (1) UNEMPLOYMENT INSURANCE BENEFIT CLAIMS. The treatment of sections ~~106.11~~  
12 ~~and~~ 108.14 (7) (d) of the statutes first applies to a claim for unemployment insurance  
13 benefits filed on the effective date of this subsection.

14 ~~(2) BUSINESS CLOSING OR MASS LAYOFF. The treatment of section 109.07 (1m) (a)~~  
15 ~~of the statutes first applies to a notice of a business closing or mass layoff provided~~  
16 ~~on the effective date of this subsection.~~

17 (END)

**Godwin, Gigi**

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**From:** Egerer, Matt  
**Sent:** Thursday, November 10, 2011 4:33 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 11-3053/2 Topic: Notification to local workforce development board when worker files for unemployment compensation

Please Jacket LRB 11-3053/2 for the ASSEMBLY.