

**2013 DRAFTING REQUEST**

**Assembly Amendment (AA-SB1)**

Received: 3/5/2013 Received By: btradewe  
Wanted: As time permits Same as LRB:  
For: Amy Sue Vruwink (608) 266-8366 By/Representing: Karl Franzen  
May Contact: Drafter: btradewe  
Subject: Employ Priv - miscellaneous Addl. Drafters:  
Environment - mining Extra Copies:

Submit via email: YES  
Requester's email: Rep.Vruwink@legis.wisconsin.gov  
Carbon copy (CC) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Job advertising requirements

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**Instructions:**

See attached. Like a0180

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**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>
/?	btradewe 3/5/2013	kfollett 3/5/2013	jmurphy 3/5/2013	_____			
/1				_____	sbasford 3/5/2013	sbasford 3/5/2013	

FE Sent For:

<END>

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/?	btradewe	1/1/5 3/5	Jm 3/5	self			

FE Sent For:

2/7

<END>

## Tradewell, Becky

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**From:** Franzen, Karl  
**Sent:** Thursday, February 07, 2013 12:16 PM  
**To:** Tradewell, Becky  
**Cc:** Pollocoff, Erin  
**Subject:** LRBa0066

Hi Becky,

I spoke with you this morning about Rep. Vruwink's amendment for AB1. We are not going to pursue the residency requirement any further.

However, we would like another amendment drafted that would place job advertisement requirements on companies who receive a permit through this process.

We would like a mimic of required recruitment steps under Department of Labor's regulations for PERM - recruiting permanent foreign workers, specifically:

- Company must file a job order with WI DWD for posting on Job Center and regional workforce development boards for minimum of 30 days
- Company must have job posting in visible location to current employees in company building where the job is located for minimum of 14 days (DOL has 10 days, weekends excluded)
- Company must run job posting in main newspaper serving region the job is located for two consecutive Sundays
- Company must provide job posting to regional WTCS and WI System institutions
- Company may not post on trade association website or publications and other national recruitment mechanisms until the above steps and timeline have been completed.

Ok, I think that is it right now....questions?

Karl F. Franzen  
**Office of Rep. Amy Sue Vruwink**  
State Capitol, Room 112 North  
P.O. Box 8953  
Madison, WI 53708-8953  
608-266-8366 (office)  
888-534-0070 (toll free)  
[karl.franzen@legis.wisconsin.gov](mailto:karl.franzen@legis.wisconsin.gov)

## Tradewell, Becky

---

**From:** Franzen, Karl  
**Sent:** Monday, March 04, 2013 4:56 PM  
**To:** Tradewell, Becky  
**Subject:** Amendment draft to SB 1

Becky,

Thanks for the call. I would like to have this drafted to the SB 1. Let me know if you need anything,

Thanks!

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**From:** Tradewell, Becky  
**Sent:** Wednesday, February 20, 2013 2:32 PM  
**To:** Franzen, Karl  
**Subject:** RE: LRBa0108

That should work.

---

**From:** Franzen, Karl  
**Sent:** Wednesday, February 20, 2013 2:31 PM  
**To:** Tradewell, Becky  
**Subject:** RE: LRBa0108

Becky,

Let's define the appropriate paper as the official municipal paper of the location of the position, or in lieu of an official paper, a paper meeting the requirements under statute 985.03 that is published in Wisconsin. The advertisement shall be published a minimum of once a week for two consecutive weeks. The posting must include, at a minimum, a description of specific position, name of employer, location of position, and means of application.

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**From:** Tradewell, Becky  
**Sent:** Wednesday, February 20, 2013 8:32 AM  
**To:** Franzen, Karl  
**Subject:** RE: LRBa0108

Karl,

Would a requirement to advertise at least once a week for two consecutive weeks do what you have in mind?

Becky

---

**From:** Franzen, Karl  
**Sent:** Tuesday, February 19, 2013 2:29 PM  
**To:** Tradewell, Becky  
**Subject:** LRBa0108

Thank you Becky, for the draft of the amendment and your comments.

Let's make one change: Please change the newspaper requirement to: "Place an advertisement of the position in a newspaper of general circulation in the area where the position is located that is published in this state in consecutive issues for one calendar week plus one issue." or other language that will capture rural papers that are experiencing fewer circulation days.

Let me know if you have any questions.

Thanks!

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State of Wisconsin  
2013 - 2014 LEGISLATURE

*Today*

*a0212/1*  
LRBa0108/1  
RCT:kjf:jm

*VMNY*

ASSEMBLY AMENDMENT ,

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO ASSEMBLY BILL 1**

*Senate*

*bill, as shown by senate*

*2,*

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 12, line 22: after that line insert:

3 "SECTION 43s. 106.165 of the statutes is created to read:

4 **106.165 Notification of iron mining position openings.** (1) In this  
5 section:

6 (a) "Appropriate newspaper" means one of the following:

7 1. The official newspaper of the city, village, town, or county containing the  
8 work site where a position will be located.

9 2. If no newspaper satisfies subd. 1., a newspaper of general circulation in the  
10 city, village, town, or county containing the work site where a position will be located  
11 that is published in this state and that is eligible to publish legal notices under s.  
12 985.03 (1).



1 (b) “Iron mining company” means a person that holds a permit under s. 295.58.

2 (2) An iron mining company shall do all of the following with respect to each  
3 position in the company that is related to an iron mine and is to be filled in this state:

4 (a) Notify the department and the local workforce development board  
5 established under 29 USC 2832 serving the area where the position is located about  
6 the position and post the position on the department’s job center Internet site for at  
7 least 30 days.

8 (b) Post notice of the position for at least 14 days in a location at the work site  
9 where the position will be located in one or more conspicuous places where notices  
10 to employees are customarily posted.

11 (c) Place an advertisement in an appropriate newspaper at least once a week  
12 for 2 consecutive weeks that, at a minimum, includes a description of the position and  
13 how a person may apply for the position, the name of the employer, and the location  
14 of the work site.

15 (d) Provide notice of the position to each technical college and institution within  
16 the University of Wisconsin System that is located within 250 miles of where the  
17 position is located.

18 (3) An iron mining company may not do any of the following with respect to a  
19 position in the company that is related to an iron mine and is to be filled in this state  
20 before it has complied with sub. (2):

21 (a) Post notice of the position on a trade association Internet site or in a trade  
22 association publication.

23 (b) Post notice of the position on any Internet job search site, except as provided  
24 in sub. (2) (a).

25 (c) Recruit applicants for the position at any job fair located outside this state.

1 (d) Recruit applicants for the position at any institution of higher education  
2 outside this state.

3 (e) Advertise the position in any newspaper or on any radio or television station  
4 located outside this state.

5 (f) Use any employment agency to recruit applicants from outside this state for  
6 the position.

7 (4) (a) The department shall, upon complaint by any person or on its own  
8 motion, investigate any allegation that an iron mining company has violated sub. (2)  
9 or (3) if the complaint is filed with the department no more than 300 days after the  
10 alleged violation occurred.

11 (b) If after investigation under par. (a) the department finds probable cause to  
12 believe that an iron mining company has violated sub. (2) or (3), the department shall  
13 notify the iron mining company of the department's finding of probable cause, of the  
14 actions specified under par. (d) that the department proposes to take, and of the iron  
15 mining company's right to request a hearing regarding the alleged violation of sub.  
16 (2) or (3).

17 (c) An iron mining company that receives a notice under par. (b) may, within  
18 30 days after the date of the notice, request a contested case hearing under s. 227.42.  
19 If the department does not receive a request for a contested case hearing under s.  
20 227.42 within 30 days after the date of the notice under par. (b), the department shall  
21 issue a final decision that the company has violated sub. (2) or (3) and take the actions  
22 specified under par. (d).

23 (d) If the department receives a request under par. (c) for a hearing, the  
24 department shall hold a hearing as provided under s. 227.44. If, after the hearing,  
25 the department finds that an iron mining company has violated sub. (2) or (3), the

1 department shall issue a final decision under s. 227.47 that the company has violated  
2 sub. (2) or (3) and shall order the iron mining company to take any remedial action  
3 that the department considers appropriate based on the severity of the  
4 noncompliance with sub. (2) or (3).”

5 (END)