

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1975/P10dn
JTK&MED:cjs:jf

May 17, 2013

Representative Knodl:

1. This draft is the initial draft of your items 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 14 (all components), 15 (12-15, 12-27, and 12-28), 16, 18, 19, 20, 21, 22, 24, 25, 26, 27, 30, 31, 32, and 33 (Sussman memo to UIAC, 4/22/13).
2. This draft specifies in proposed s. 108.04 (2) (g) 2. that when the department wants to recover benefits from a claimant who divulged or failed to protect his or her security credentials, it may use either the existing procedure for recovery under s. 108.22 (8), stats., or the procedure created by this draft in proposed s. 108.245 (1). The draft also adds a sentence to proposed s. 108.245 (1) to specifically authorize this kind of legal action to be brought. If this is not what you intend or if you want to use some other means of recovery, please let us know.
3. With regard to the change in the maximum duration of regular benefits for total unemployment (proposed s. 108.06 (1m) and other provisions), the draft requires a revised definition of the statewide unemployment rate. The department is reviewing the matter and will advise regarding an appropriate definition for incorporation into a future version.
4. At our next meeting, we need to review the initial applicability of all items. Some of the items reflect specific instructions or discussions but other items must still be regarded as placeholders at this point until we have specific confirmation that they are appropriate to the circumstances.
5. With regard to the item about contacting temporary help companies, DWD expressed the concern that a claimant who was required to contact a temporary help company may not, under federal law, be required to accept an assignment offered to the claimant unless the assignment constituted suitable work for that claimant. We therefore changed references in the bill to contacting the temporary help company "for an assignment" to contacting the temporary help company "about available assignments" to make it clear that the requirement would be only to contact the company to see if assignments are available, and not to take any assignment offered

Jeffery T. Kuesel
Managing Attorney
Phone: (608) 266-6778

Michael Duchek
Legislative Attorney
Phone: (608) 266-0130
E-mail: michael.duchek@legis.wisconsin.gov