

Filed July 18, 1968

Ind-UC 101 to 150

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STATE OF WISCONSIN)
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 DEPARTMENT OF INDUSTRY,)
 LABOR AND HUMAN RELATIONS)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Stephen J. Reilly, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said Department, do hereby certify that the annexed rule changes, relating to unemployment compensation were duly approved and adopted by this Department on July 16, 1968.

I further certify that said copy has been compared by me with the original on file in this Department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of said Department, in the City of Madison, this 16th day of July, A.D. 1968.


 Stephen J. Reilly, Secretary

ORDER OF THE
DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS
AMENDING, ADOPTING AND REPEALING RULES

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section 108.14 (2), Wis. Stats., the Department, after notice and hearing pursuant to chapter 227, Wis. Stats., hereby amends, adopts and repeals rules as follows:

SECTION 1. Section Ind-UC 101.03 of the Wisconsin Administrative Code is amended to read:

Ind-UC 101.03 Required coverage reports. (1) Any employing unit which has thus employed one or more individuals in Wisconsin at any time shall, if so requested by the unemployment compensation division, file a report with the division as to its employment.

(2) Whenever any employing unit, which is not already a covered employer under chapter 108, Wis. Stats., has, within 1956 or any subsequent calendar year, employed, in employment covered by said chapter or by the federal unemployment tax act, 4 or more individuals on at least one day (whether or not at the same moment of time) within each of 20 different calendar weeks (whether or not they were the same individuals, and whether or not those weeks were consecutive), such unit shall, promptly after the close of such twentieth week, notify the unemployment compensation division and file such a true and complete report on all its employment as will enable the division to determine the coverage status of such unit under said chapter.

(3) Any report thus required shall be made on forms and pursuant to instructions supplied to the employing unit by the unemployment compensation division.

SECTION 2. Section Ind-UC 103.01 (2) of the Wisconsin Administrative Code is repealed.

SECTION 3. Chapter Ind-UC 105 of the Wisconsin Administrative Code is repealed.

SECTION 4. Section Ind-UC 110.01 of the Wisconsin Administrative Code is repealed and re-created to read:

Ind-UC 110.01 Applicable reporting period. QUARTERLY. Pursuant to section 108.17 (2), Wis. Stats., each employer subject to chapter 108, Wis. Stats., shall file his contribution reports and pay his contributions to the department of industry, labor and human relations for each calendar quarter.

SECTION 5. Section Ind-UC 110.03 of the Wisconsin Administrative Code is repealed and re-created to read:

Ind-UC 110.03 Due-dates of contribution reports and payments. (1) Pursuant to section 108.17 (2), Wis. Stats., each contribution report and payment shall be due at the close of the month next following the end of each calendar quarter, except as hereinafter provided.

(2) If an employing unit becomes newly subject to chapter 108, Wis. Stats., as of the beginning of a calendar year, pursuant to section 108.02 (4) (b), (c) or (d), Wis. Stats., the due-date for his contribution reports and payments shall be

(a) For calendar quarters ended before the earliest date on which his employment required his coverage, 60 days from such earliest date.

(b) For the calendar quarter which includes the earliest date on which his employment required his coverage, 60 days from such earliest date or the close of the month next following the end of such quarter, whichever is later.

(c) But in no case shall such due-date be later than January 31 of the next following year.

SECTION 6. Section Ind-UC 110.04 of the Wisconsin Administrative Code is created to read:

Ind-UC 110.04 (1) Each contribution report form shall, when mailed to the employer, bear a clear statement of the applicable due-date and such statement shall constitute notice to the employer of such due-date.

(2) Any required contribution report or payment is "delinquent", within the meaning of section 108.22 (1), Wis. Stats., unless it is mailed (i.e. postmarked) to the department of industry, labor and human relations or delivered to the department not later than its due-date.

SECTION 7. Sections Ind-UC 110.05 (1), (2) (a) and (b), (4) (a), (b) and (c), and (7) of the Wisconsin Administrative Code are amended to read:

Ind-UC 110.05 Reporting payroll and computing contributions. (1) Total Wisconsin Payroll. Each employer's contribution report shall include under "total Wisconsin payroll" all items whatsoever regularly handled by the employer as payroll items. Such report shall in any event include every item required to be treated as "wages" pursuant to section 108.02 (6),

Wis. Stats., -- even though such items may not be treated as payroll items by the employer. Moreover, all wages paid by the employer to persons employed by him partly within and partly outside Wisconsin shall be included by him in his "total Wisconsin payroll". Such wages shall also be included in the employer's "defined payroll" unless such wages are not paid with respect to "employment" under section 108.02 (5) (b) or (c), Wis. Stats.

(2) (a) Lodging -- \$10.50 per week or \$1.50 per day; and

(b) Meals -- \$15.60 per week or \$.75 per meal.

(4) (a) Shall not be treated as "wages" if the employer's contributions under the given S.U.B. plan are credited to a fund (rather than to individual employe accounts) from which S.U.B. may be paid to any employe eligible therefore under such plan, and that such contributions are not treated as wages for federal unemployment tax purposes.

(b) Shall be treated as "wages" if the employer's contributions under the given S.U.B. plan are definitely credited to individual employe accounts, and are treated as "wages" for federal unemployment tax purposes.

(c) Shall not be treated as "wages" if the given S.U.B. plan is part of an employer profit-sharing plan, if and while the employer's payments thereto are not treated as "wages" for federal unemployment tax purposes.

(7) Claiming exclusions. In claiming exclusions from his "total Wisconsin payroll" thus reported for any given period the employer shall identify each exclusion claimed, pursuant to the statutory provision or commission rule claimed to be relevant in such case, and shall in support of any such exclusion submit such supporting evidence as the unemployment compensation division may from time to time request.

SECTION 8. Section Ind-UC 110.07 of the Wisconsin Administrative Code is amended to read:

Ind-UC 110.07 Contribution reports and remittances. (1) Required reports. Each employer shall, regardless of whether any contributions may be currently payable by him, report his payroll and employment on the contribution reports (Forms UC-101) supplied to him by the unemployment compensation division. The employer shall complete all applicable items of his contribution report, including monthly data on his number of employes. Any report which is incomplete as to any such items after the due-date applicable thereto pursuant to Ind-UC 110.03 is "delinquent" within the meaning of section 108.22 (1), Wis. Stats.

(2) Remittances. Contributions shall be remitted with the employer's contribution report, and shall be in the form of a check, draft or money order payable to the department of industry, labor and human relations.

SECTION 9. Section 115.01 (1), (3), (4), (6) (intro. par.) and (a), (7), (8) and (10) are amended to read:

Ind-UC 115.01 Transfer of business. (1) Each "employer" who transfers any of the assets of his business by any means whatever (otherwise than in the ordinary course of trade) shall notify the unemployment compensation division in writing of such transfer, by the due-date of his contribution report for the calendar quarter in which the transfer date occurred. The transferor and transferee shall thereafter promptly submit to the unemployment compensation division in writing such information as it may request relating to the transfer. Based on such information, and on any other relevant information (obtained by audit or otherwise) in the division's files, a commission deputy shall determine whether the transfer constituted a "transfer of business" within the meaning of section 108.16 (8), Wis. Stats., and shall notify the transferor and transferee in writing accordingly.

(3) In each case where a commission deputy determines that there has been a transfer of business within the meaning of section 108.16 (8), Wis. Stats., he shall determine what amounts and records (relating to the transferor's unemployment compensation experience and employes with respect to the transferred business) are to be transferred to the account and related records of the transferee (successor), and shall notify the transferor and transferee in writing accordingly. Consistently with said section, the following provisions of this section shall govern each such transfer and determination.

(4) A commission deputy shall determine the relative amount and proportion (hereinafter called "transfer percentage") of the transferor's

total "payroll", for a recent and representative one-year period preceding the transfer date, which is properly assignable to the transferred business. In determining such relative amount (and transfer percentage), the payroll for overhead or combined positions shall, to the extent that such payroll is in fact affected by the transfer, be allocated in the same proportion as the direct payrolls involved, or on such other reasonable basis as may better correspond with and reflect the facts of the transfer.

(6) Correspondingly, the transferor's account and the transferee's account (namely, the records of the unemployment compensation division relating to such accounts for the purpose of determining their respective contribution rates from and after the transfer date) shall be adjusted by said treasurer, in order to make each such account reflect the entire unemployment compensation experience (significant for said purpose) attributable to the business operated by each from and after the transfer date, as follows:

(a) There shall be transferred from the transferor's account to the transferee's account that amount of the transferor's "payroll", determined by applying the transfer percentage thereto, for each of the following periods.

1. From the most recent June 30 computation date to the transfer date and

2. Where the transfer date occurs within the 6 months next

following the most recent June 30 computation date, for each of the two 12-month periods immediately preceding such computation date, or

3. Where the transfer date occurs within January through June next following the most recent June 30 computation date, for the 12-month period immediately preceding such computation date.

(7) All benefits paid after the transfer date, based on prior services for the transferor in the transferred business, shall be charged against the transferee's account (including that portion transferred from the transferor's account with a view to financing such benefits). In this connection a commission deputy shall determine what individual employes are or may still become eligible for such benefit payments. With respect to such individuals, the unemployment compensation division shall correspondingly adjust its files, and the transferor and transferee shall file such benefit reports (covering such past credit weeks) as may be needed by the unemployment compensation division to assure the prompt payment and the correct charging of benefits consistently with this section.

(8) If the transferor has not supplied to the transferee such payroll records, relating to individuals employed by the transferor in the transferred business (as determined by the commission deputy), as will enable the transferee to file whatever reports the unemployment compensation division may thereafter require from him for benefit purposes with respect to such individuals, he shall file a "Final Work Record Report", pursuant to section Ind-UC 123.03.

(10) The term "commission deputy" refers to the commission's deputy under section 108.10, Wis. Stats.; and any determination made hereunder by said deputy shall be subject to review in accordance with the provisions of said section.

SECTION 10. Section Ind-UC 120.01 of the Wisconsin Administrative Code is amended to read:

Ind-UC 120.01 Notice-posters as to claiming unemployment benefits. Each covered employer shall keep his employes informed as to chapter 108, Wis. Stats., by posting appropriate notice-posters supplied to him by the unemployment compensation division. Such notices shall be permanently posted by each such employer at suitable points (on bulletin boards, near time clocks, etc., where all employes will readily see them) in each of the employer's work-places and establishments in Wisconsin.

SECTION 11. Section Ind-UC 120.03 of the Wisconsin Administrative Code is repealed.

SECTION 12. Section Ind-UC 120.05 of the Wisconsin Administrative Code is repealed.

SECTION 13. Section Ind-UC 120.07 of the Wisconsin Administrative Code is renumbered Ind-UC 120.02 and as renumbered is amended to read:

Ind-UC 120.02 Special notices, for certain cannery employes. An employer engaged in the canning of fresh perishable fruits or vegetables shall, pursuant to instructions from the unemployment compensation division, give a special notice (on the division's Form UC-303E) to any employe who

works for him only during his "active canning season" under section Ind-UC 145.01, to inform such employe as to his special status under the law.

SECTION 14. Sections Ind-UC 123.01 (1), (2), (3) (a), (4), (5) and (6) of the Wisconsin Administrative Code are amended to read:

Ind-UC 123.01 (1) Time of filing. Benefit reports are required of employers on request, to be filed within the time-limit specified on such request.

(2) Place of filing. Each benefit report requested from an employer shall be filed by him with the unemployment compensation office specified thereon for such filing.

(3) (a) The "Work Record Report" (Form UC-203) will be required when an employe's claim requires a determination of his qualification for benefits, or of the amount of his benefit credits, as well as a determination of his eligibility for his current period of unemployment.

(4) Tardy or incomplete filing of a Work Record Report (Form UC-203).

(a) The required report. Section 108.04 (13) (c), Wis. Stats., refers to "the required report on the eligibility, weekly benefit rate and credit weeks of an employe". That means a Work Record Report (Form UC-203), requested from an employer. To file "the required report" the employer must file the requested report-form both promptly and completely. Otherwise he "fails to file the required report", within the meaning of section 108.04 (13) (c), Wis. Stats.

(c) Tardy filing, after due notice. The employer shall be deemed to have failed, after due notice, to file the required report if a request therefor was mailed to him but more than 7 days elapsed between the unemployment compensation division's mailing date, imprinted on the earliest request for that report, and the date on which the report-form was received from the employer by the unemployment compensation office specified thereon.

(d) Incomplete filing. An incomplete Work Record Report, even when thus received within those 7 days, shall likewise constitute a failure by the employer after due notice to file "the required report" in case benefits are delayed by his failure to complete any item required by the report-form.

(e) Required items. A Work Record Report is incomplete, when filed, unless it includes:

1. The information required to determine the employe's weekly benefit rate; and
2. The number of the employe's credit weeks; and
3. The employe's last date of work for the employer within the applicable base period; and
4. The information requested as to the employe's holiday, vacation and dismissal pay; and
5. A signature on behalf of the employer.

(5) Effect of tardy filing of an Eligibility Report (Form UC-23).

If an employer's Eligibility Report for an employe is not received by the office specified thereon within 7 days after such report was requested, that fact will be taken as an admission that no eligibility question exists as to the employe's current claim, and benefits will be allowed accordingly. If the employer's report is received after said 7-day period has elapsed, it will be effective in reducing benefits only as to benefit checks paid after the date on which the report was received.

(6) Effect of amended reports. Pursuant to sections 108.03 (3) and 108.04 (13), Wis. Stats., if an employer files an amended Work Record Report or Eligibility Report or otherwise raises a new issue as to an employe's eligibility or changing the wages or weeks used in determining benefits, such amended report or notice of new issue will be effective in reducing benefits only as to benefit checks paid after the date on which the amended report or notice was received.

SECTION 15. Section Ind-UC 123.03 of the Wisconsin Administrative Code is repealed and re-created to read:

Ind-UC 123.03 "Final" Work Record Report. (1) When requested by the unemployment compensation division, an employer shall promptly file a "Final" Work Record Report.

(2) On such a report the employer shall list every employe who worked for him in employment covered under chapter 108, Wis. Stats., in the period specified thereon. For each such employe he shall report such information (including the wages and work-weeks from him in such period) as the report may require.

(3) The division shall request such a final report if it determines that:

(a) Section Ind-UC 115.01 (8) applies, or

(b) The employer has ceased to have employes, has gone out of business, or has terminated his coverage under chapter 108, Wis. Stats., without providing assurance satisfactory to the division that he will promptly file any Work Record Report which may be requested of him under section Ind-UC 123.01.

SECTION 16. Section Ind-UC 126.01 (3) of the Wisconsin Administrative Code is amended to read:

Ind-UC 126.01 (3) An employe's registration for work shall be made in person, except as an employe of the unemployment compensation division may permit or direct otherwise, in view of the available registration facilities.

SECTION 17. Section Ind-UC 126.02 (2) of the Wisconsin Administrative Code is repealed.

SECTION 18. Sections Ind-UC 126.02 (3), (4), (6), (7) and (8) of the Wisconsin Administrative Code are amended to read:

Ind-UC 126.02 (3) The employe's inability to use the registration facilities available to him in his community, because of the lack or failure of transportation facilities on which he might have reasonably relied. Such inability will be recognized as existing only if such inability was at such time and for such duration in the week as to prevent his registering within the week.

(4) A definite error, related to the employe's registration, made by the personnel of the unemployment compensation division or the Wisconsin state employment service.

(6) The failure of the employer in question to duly post any registration "notice to employes" which has been supplied to him, in accordance with section Ind-UC 120.01.

(7) An applicable waiver of the registration requirement for such week by the employer, pursuant to section 108.04 (13) (b), Wis. Stats., if approved by a deputy of the commission.

(8) (a) An applicable waiver of the registration requirement for such week, as to a given employer's employes (or a group or class thereof), made by an authorized deputy of the commission hereunder.

(b) Such a waiver shall be made only where employment by the employer has not been terminated and substantially all of such employes are expected to resume work for the employer at an early date, because their current unemployment is due to a temporary mass layoff or to a labor dispute in

the employer's establishment in which they have been employed; so that requiring weekly registrations by such employes would be unreasonable under chapter 108, Wis. Stats.

SECTION 19. Section Ind-UC 126.04 (intro. par.) and (3) are amended to read:

Ind-UC 126.04 Notice of unemployment. Pursuant to section 108.08, Wis. Stats., an employe shall be eligible, for waiting period or benefit purposes, as to any given week of his unemployment, only if he gives due notice of (and files claim on account of) such unemployment:

(3) Within two weeks after the close of the week in question; provided, however, that there shall not be counted (toward this 2-week time limit) any week for which the employe's registration was waived, or might have been waived under section Ind-UC 126.02. The commission deputy may also waive the above 2-week time limit, provided there are special circumstances justifying such action in the given case.

SECTION 20. Section Ind-UC 126.06 of the Wisconsin Administrative Code is renumbered 126.03 and as renumbered is amended to read:

126.03 Partial unemployment (1) As to any week in which a claimant is partially unemployed:

(a) He need not register for work within such week to establish his eligibility for benefits unless he has been notified to do so, in accordance with this section, before the start of such week.

(b) Pursuant to section 108.04 (2) (c) Wis. Stats., he may be required to register for work through a public employment office within any such week under the following conditions:

1. He is so notified by an employe of the unemployment compensation division; and

2. He has claimed benefits for at least four weeks in which he was partially unemployed during the preceding 52 weeks; and

3. There is some definite indication that he is not genuinely interested in working full time.

(2) If a claimant is thus notified to register for work, section Ind-UC 126.01 (2) and (3) shall apply.

SECTION 21. Section Ind-UC 126.08 of the Wisconsin Administrative Code is renumbered Ind-UC 126.05 thereof.

SECTION 22. As thus renumbered, Sections Ind-UC 126.05 (1) and (2) of the Wisconsin Administrative Code are amended to read:

Ind-UC 126.05 (1) Any employe of the unemployment compensation division may thus require any such claimant to make an active personal search for work, and to supply proper evidence thereof, by notifying the claimant accordingly.

(2) (a) The claimant's failure to secure work during a substantial preceding period of unemployment, as shown either by 6 consecutive weeks of benefit claims and work registrations or by even more aggregate weeks of unemployment within several recent months; or

(b) Some definite indication that the claimant may not be genuinely interested in accepting new work, as shown by his own statements or by

statements from prospective employers who have interviewed him for a job or by other relevant evidence.

SECTION 23. As thus renumbered Section Ind-UC 126.05 (4) is amended to read:

Ind-UC 126.05 (4) To submit proper evidence of such efforts to secure work the claimant shall report, to the unemployment compensation division, the firm name and address of each employer thus interviewed, the date and place of the interview, and any other relevant facts, in such manner that his report can readily be checked and verified.

(a) The claimant shall be required to secure written evidence from any such employer only when the claimant has been expressly so notified in advance and has been supplied a form for that purpose.

SECTION 24. Section Ind-UC 130.03 (2) (intro. par.) and (a) of the Wisconsin Administrative Code are amended to read:

Ind-UC 130.03 (2) Meaning of "Benefit Purposes". An employe's "tips" received in connection with his employment by an employing unit shall be treated as "wages" from that employing unit:

(a) In computing the employe's "average weekly wage" and corresponding "weekly benefit rate"; and

SECTION 25. Section Ind-UC 130.03 (3) of the Wisconsin Administrative Code is repealed and re-created to read:

Ind-UC 130.03 (3) Determination of the amount of tips. (a) If an employe reports to his employer the amount of tips he received in connection with his employment by the employer, the employer shall include the amount thus reported as wages on any benefit report filed under Ind-UC 123.01.

(b) The employe, in giving notice of his unemployment for a given week, shall report as wages the amount of tips he received in such week in connection with his employment by any employing unit.

SECTION 26. Section Ind-UC 132.01 of the Wisconsin Administrative Code is repealed and re-created to read:

Ind-UC 132.01 Average weekly wage. (1) An employe's "average weekly wage" from an employer, under section 108.02 (7), Wis. Stats., shall be computed by the unemployment compensation division when needed to determine the employe's eligibility for benefits under section 108.04 (4) (b), Wis. Stats., and his "weekly benefit rate" from the employer under section 108.05 (1), Wis. Stats.

(2) There shall be included as wages, in calculating an employe's average weekly wage from an employer, the total gross wages, as defined by section 108.02 (6), Wis. Stats., paid the employe with respect to his personal services for the employer in employment covered by chapter 108, Wis. Stats., for the employe's weeks of employment within the applicable base period determined in accordance with section 108.02 (7) (a), Wis. Stats. Vacation pay for a week during which the employe does no work at all for the employer shall not be included.

(a) The applicable base period shall be specified on each Work Record Report (Form UC-203) required from an employer pursuant to section Ind-UC 123.01 (3) (a).

(3) When paid. For the purposes of determining an employe's average weekly wage, his wages shall be treated as paid if they are actually or constructively paid by the date the employer returns the required Work Record Report to the unemployment compensation office specified thereon. All wages which are capable of precise calculation shall be considered as constructively paid even though actual payment has not been made (e.g., where the wages have been earned and are clearly due the employe).

SECTION 27. Ind-UC 132.03 of the Wisconsin Administrative Code is repealed.

SECTION 28. Section Ind-UC 132.06 of the Wisconsin Administrative Code is renumbered Ind-UC 132.02 and as renumbered is amended to read:

Ind-UC 132.02 Payment of benefits. (1) Pursuant to section 108.03 (1), Wis. Stats., the commission hereby prescribes that benefits under the unemployment compensation law shall be paid through public employment offices and by weekly checks issued by the unemployment compensation division and mailed by it to the employe.

(2) Each benefit check shall be charged against an account in the unemployment reserve fund; and each employer shall periodically receive a record of each check charged against his account in the fund.

SECTION 29. Chapter Ind-UC 134 of the Wisconsin Administrative Code is repealed.

SECTION 30. Section Ind-UC 140.01 (1) (a) and (2) (a) of the Wisconsin Administrative Code are amended to read:

Ind-UC 140.01 (1) (a) Any such request shall be in writing and filed at a local office or with a local office employe of the unemployment compensation division, or at the state administrative office of the unemployment compensation division, 4802 Sheboygan Avenue, P. O. Box 644, Madison, Wisconsin 53701, or, in the case of an interstate claimant, with any qualified employe of the agent state.

(2) (a) Any such request shall be in writing and filed with the state administrative office of the unemployment compensation division, 4802 Sheboygan Avenue, P. O. Box 644, Madison, Wisconsin 53701, except as a commission deputy may waive that place of filing in a specific case.

SECTION 31. Section Ind-UC 140.03 (1) (a) and (2) (a) of the Wisconsin Administrative Code are amended to read:

Ind-UC 140.03 (1) (a) Any such petition shall be in writing and filed at a local office or with a local office employe of the unemployment compensation division or at the state administrative office of the unemployment compensation division, 4802 Sheboygan Avenue, P. O. Box 644, Madison, Wisconsin 53701, or, in the case of an interstate claimant, with any qualified employe of the agent state.

(2) (a) Any such petition shall be in writing and filed with the state administrative office of the unemployment compensation division, 4802 Sheboygan Avenue, P. O. Box 644, Madison, Wisconsin 53701, except as a commission deputy may waive that place of filing in a specific case.

SECTION 32. Section Ind-UC 140.05 of the Wisconsin Administrative Code is repealed and re-created to read:

Ind-UC 140.05 Hearings and Decisions. (1) Promptly after an appeal is filed, the appellant and respondent (if any) shall be notified in writing that an appeal has been filed. The notice may also contain such information concerning the hearing to be scheduled as the unemployment compensation division considers relevant.

(2) Parties shall be given an opportunity to be heard at the earliest practicable time from the date the appeal is filed. A notice of hearing shall be mailed each of the parties at least 5 days in advance of the hearing, giving the time and place of the hearing.

(3) The notice of hearing shall concisely set forth the issues involved. As to any issues not thus set forth the decision shall reflect consideration of such other issues, provided both parties are so notified at the time of the hearing and do not object.

(4) Statutory and common law rules of evidence and other technical rules of procedure are not controlling with respect to hearings. The aim shall be to secure the relevant facts as directly and simply as possible. All testimony having reasonable probative value shall be admitted, but irrelevant, immaterial and repetitious testimony shall be excluded.

(5) The hearing officer shall administer the oath or affirmation to each witness. The parties, their attorneys or agents shall be given an opportunity to examine and cross-examine witnesses. However,

it is also the responsibility of the hearing officer to develop the facts and, to this end, he may examine any witness or call any witness, as he deems necessary.

(6) The ex parte investigation containing summations of interviews and not signed by those interviewed, used by the deputy in arriving at his initial determination, is not evidence. However, signed statements of parties can be used if introduced in evidence.

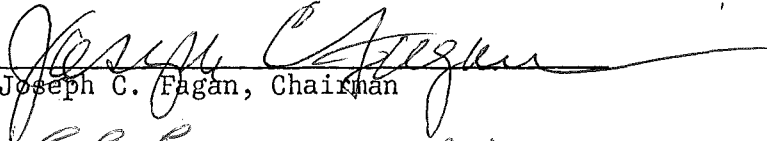
(7) The hearing officer may take official notice of any generally noticed fact or any established technical or scientific fact, but the parties will be afforded an opportunity to object thereto before a decision is issued.


(8) The decision shall be in writing accompanied by findings of fact and conclusions of law. The findings of fact shall consist of a concise and separate statement of the ultimate conclusions upon each material issue of fact without recital of evidence. Insofar as possible, the decision shall be dated and mailed within ten (10) days following the hearing.


(9) (a) Any transcript requested by a party pursuant to section 108.09 (5) (b), Wis. Stats., shall be furnished to the parties when it is completed and paid for, except as hereinafter provided.

(b) A transcript need not be furnished, if the requesting party's right to further appeal has expired and he failed to file a timely appeal. In such a situation the unemployment compensation division shall refund all or part of the advance payment after taking into account how much of the transcript was completed.

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS


Joseph C. Fagan, Chairman


Edward E. Estkowski, Commissioner


Charles E. Arnold, Commissioner

July 16, 1968

Ind-UC 150.05 Forms. The following forms are listed herewith in accordance with section 227.013, Wis. Stats. Each form here listed is issued by the unemployment compensation division, P. O. Box 644, Madison, Wisconsin 53701.

| Form Number | Title or Similar Description |
|-------------|------------------------------|
|-------------|------------------------------|

(1) COVERAGE.

- | | | |
|-----|--------------|---|
| (a) | UC-1 ----- | Employer's Report as to Wis. U. C. Coverage |
| (b) | RC-1 ----- | Election to Cover Multi-state Workers |
| (c) | UC-115 ----- | Report of Business Transfer |
| (d) | UC-117 ----- | Report as to Payrolls and Employees Transferred |

(2) CONTRIBUTIONS.

- | | | |
|-----|---------------|---|
| (a) | UC-101 ----- | Employer's Contribution Report |
| (b) | UC-101a ----- | Instructions for Completing Form UC-101 |
| (c) | UC-101ANP --- | Annual Contribution Report for Special Cases |
| (d) | UC-101X ----- | Special "Voluntary" Contribution Report |
| (e) | UC-101G ----- | Benefit Reimbursement Request, for Government Units |

(3) BENEFIT NOTICES AND REPORTS, REQUIRED OF EMPLOYERS.

- | | | |
|-----|---------------|---|
| (a) | UC-201 ----- | Instructions as to Benefit Notices and Reports |
| (b) | UC-7 ----- | Notice Poster, How to Claim Unemployment Benefits |
| (c) | UC-7e ----- | Employer Certification as to Posting Form UC-7 |
| (d) | UC-303E ----- | Special Notice, for Seasonal Cannery Employees |
| (e) | RC-2 ----- | Special Notice, for Multi-State Employees |
| (f) | UC-203 ----- | Request for Work Record Report |
| (g) | UC-203F ----- | "Final" Work Record Report |
| (h) | UC-23 ----- | Eligibility Report |
| (i) | UC-119 ----- | Report as to Benefits in Partial Business Transfers |
| (j) | UC-123 ----- | Report by Seasonal Employers as to Filing Form UC-203 |

(4) BENEFIT CLAIMS AND PAYMENTS.

- (a) UC-10 ----- Claiming Instructions
- (b) UC-15 ----- Initial Benefit Claim -- Intrastate
- (c) UC-16 ----- Additional Benefit Claim -- Intrastate
- (d) UC-17 ----- Continued Benefit Claim -- Intrastate
- (e) IB-1 ----- Initial Benefit Claim -- Interstate
- (f) IB-2 ----- Continued Benefit Claim -- Interstate
- (g) UC-0-355 ---- Claimant Statement on Availability

(5) SETTLEMENT OF CONTESTED BENEFIT CLAIMS.

- (a) UC-18 ----- Notice (to Employee) to Report for an Interview
- (b) UC-474 ----- Physician's Report, for Determining Eligibility