

Register # 184

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IND. Chapter 80

INDUSTRY, LABOR AND HUMAN RELATIONS 3

**Ind 80.09 Extension of time and postponement.** The commission may grant extensions of time in which to comply with any rule when it shall deem such extensions of time reasonable and it may likewise grant adjournments of hearings.

**Ind 80.10 Stipulations.** Parties to a controversy may stipulate the facts in writing, and the commission may thereupon make its order or award. Stipulations must set forth in detail the manner of computing the compensation due and must be accompanied by a report from a physician stating the extent of the disability.

**Ind 80.11 Depositions.** At the discretion of the commission depositions may be taken and used upon any hearing where the convenience of the witnesses or parties may so require. Such depositions shall be taken in the same manner as in courts of record. Depositions for the purpose of discovery before hearing are specifically prohibited by law, with certain exceptions as provided by section 102.17(1) (bm), Wis. Stats.

**Ind 80.12 History:** 1-2-56; r. Register, October, 1965, No. 118, eff. 11-1-66.

**Ind 80.13 History:** 1-2-56; r. Register, October, 1965, No. 118, eff. 11-1-65.

**Ind 80.14 Transcripts.** (1) Transcripts of testimony taken or proceedings had before the department will be furnished to the applicant or respondent or their attorneys in accordance with the following provisions:

(a) After the commencement of an action to review its order a copy of such testimony will be furnished to the plaintiff or his attorney upon payment of the sum of 20 cents per folio and 5 cents per folio for each additional copy thereof and all other parties will be furnished copies upon payment of 5 cents per folio.

(b) In other cases transcript may be provided under such conditions and terms as are mutually agreed upon.

(c) Upon proper showing of financial inability to pay for copies of such testimony or proceedings, the department in its discretion will furnish copies of the same on such terms as may be agreed upon.

**History:** 1-2-56; am. (1) (a) and (b), Register, October, 1965, No. 118, eff. 11-1-65; am. Register, November, 1970, No. 179, eff. 12-1-70.

**Ind 80.15 Exemption from insurance; conditions.** (1) As a condition for an exemption, deposits of securities, a surety bond or both shall be required in the following cases:

*Persons and Partnerships:*

(a) Where the net resources, exclusive of exemptions, are less than \$25,000.

(b) Where the net resources, exclusive of exemptions, do not equal \$1,500 for each employe up to 20 in number, and \$400 for each additional employe up to 50 and \$100 for each additional employe.

(c) Where the liabilities, exclusive of capital, exceed 75% of the resources, excluding exemptions.

(2) The industrial commission reserves the right to require a surety bond, or a deposit of security, in individual cases, regardless of the amount of net assets.

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**Ind 80.16 Exemptions from insurance; automatic.** The state and all of its political subdivisions and all state and national banks are exempt from insurance of their liability under the compensation act, without further order of this commission. Any county training school board, county school board, school district board, board of education, board of industrial education, board of park commissioners, board of public works, board of drainage district commissioners, metropolitan sewerage commission and any board of public utilities created under subsection (1) of section 66.068, Wis. Stats., may carry a workmen's compensation insurance policy separate and distinct from any carried by the county, town, village or city in which it is located. However, partial insurance or divided insurance of the risk of any political division, board or commission, may not be carried, except upon written order of this commission. Any municipality which has entered into an agreement with one or more other municipalities for the joint operation of a fire department composed wholly or partly of volunteers may separately insure its liability under the compensation act for injury to any fireman.

**Ind 80.17 Excess insurance.** An employer who has been granted exemption from insuring his risk under the workmen's compensation act may carry excess insurance in accordance with regulations of the insurance commissioner without further order of this commission, and such excess insurance shall not be deemed full coverage.

**Ind 80.18 Procedure in state cases.** (1) The following reports and statements are required in claims for compensation or medical aid by an employe of the state.

(a) In all cases where disability extends beyond the three-day waiting period or permanent disability results, the first report of injury on form WC-12 is to be submitted to the industrial commission by the employing department.

(b) In all cases in which any disability results or medical expense is involved, a statement by the employe on form to be supplied by the industrial commission that he was injured in the course of his employment, reciting time and place of injury, the reasons for its occurrence, the nature of injury and stating all expenditures incurred for medical, surgical, hospital treatment, and medicines, to the time of the claim; whether claim is made for disability; if so, what period of temporary disability and what permanent disability is claimed, and what salary has been paid by the state during the period of disability. If bills have been paid by the injured, receipts are to be attached.

(c) A report from the attending physician showing the nature of injury and the extent of disability. This may be made on form supplied by the commission.

(d) Bill from the physician and/or hospital itemizing services rendered and charges made. This need not be verified.

(e) A statement from the employing department stating whether injury occurred in the course of employment, and whether treatment