

Chapter LIRC 2

UNEMPLOYMENT COMPENSATION

LIRC 2.01 Petitions
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LIRC 2.01 Petitions. (1) A petition for commission review of an appeal tribunal decision under s. 108.09 or 108.10, Stats., shall be received within 21 days after the date of mailing of the decision to the parties and during regular office hours by an employe of the job service division or unemployment compensation division, department of industry, labor and human relations, or an employe of the commission, at:

- (a) Any job service office or unemployment compensation office, or
- (b) A hearing office of the unemployment compensation division, or
- (c) The central administrative office of the department, bureau of legal affairs, unemployment compensation division, 201 East Washington Avenue, P.O. Box 8942, Madison, Wisconsin 53708, or
- (d) The office of the labor and industry review commission, 201 East Washington Avenue, P.O. Box 8126, Madison, Wisconsin 53708.
- (e) In the case of an interstate claimant one of the above or by a qualified employe of the agent state in which the interstate claimant files claim.

(2) Petitions by the department shall be filed only at the office of the commission.

History: Cr. Register, March, 1981, No. 303, eff. 4-1-81; am. (1) (intro.) and (c), cr. (1)(d) and (e), r. and recr. (2), r. (3), Register, August, 1982, No. 320, eff. 9-1-82; am. (1) (intro.), (a) to (d), Register, January, 1985, No. 349, eff. 2-1-85.

LIRC 2.03 Hearing tapes. Copies of hearing tapes may be requested and obtained according to s. 108.09 (5), Stats., from the department of industry, labor and human relations, bureau of legal affairs, unemployment compensation division, 201 East Washington Avenue, P.O. Box 8942, Madison, Wisconsin 53708.

History: Cr. Register, March, 1981, No. 303, eff. 4-1-81; am. Register, August, 1982, No. 320, eff. 9-1-82; am. Register, January, 1985, No. 349, eff. 2-1-85.

LIRC 2.04 Transcripts. Copies of transcripts may be requested and obtained according to s. 108.09(5), Stats., from the labor and industry review commission, 201 East Washington Avenue, P.O. Box 8126, Madison, Wisconsin 53708. A fee of 50 cents per page, or a minimum fee of 10 dollars which shall constitute the advance fee under s. 108.09(5)(b), Stats., shall be charged. Upon proper showing of financial inability to pay for copies of such testimony or proceedings, the commission may furnish copies of transcripts on such terms as may be agreed upon. Transcripts shall be furnished after payment of the fee, except that a transcript need not be furnished if the requesting party does not file a timely appeal and the right to further appeal has expired. In such a situation the

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commission shall refund all or part of the advance payment after taking into account how much of the transcript was completed.

History: Cr. Register, March, 1981, No. 303, eff. 4-1-81; am. Register, August, 1982, No. 320, eff. 9-1-82; am. Register, January, 1985, No. 349, eff. 2-1-85.

LIRC 2.05 Briefs. **History:** Cr. Register, March, 1981, No. 303, eff. 4-1-81; r. Register, January, 1985, No. 349, eff. 2-1-85.

LIRC 2.05 Judicial review. Judicial review of any commission decision under 108.09 or 108.10, Stats., shall be commenced in the manner and upon the grounds specified in s. 108.09 (7), Stats., and not under ch. 227, or s. 801.02, Stats. Service of the summons and complaint shall be made upon a commissioner or agent authorized by the commission to accept service. Service may be made at 201 East Washington Avenue, P.O. Box 8126, Madison, Wisconsin 53708. Service made by mail is effective to commence the action only if the summons and complaint are actually received by the commission within the appeal period. The labor and industry review commission and the adverse party shall be made defendants. The adverse party is the one in whose favor the commission's decision was made.

History: Cr. Register, March, 1981, No. 303, eff. 4-1-81; renum. from LIRC 2.06 and am., Register, January, 1985, No. 349, eff. 2-1-85.