



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Scott Grosz and Jessica Karls-Ruplinger
Clearinghouse Co-Directors

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 13-081

Comments

[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Legislative Reference Bureau and the Legislative Council Staff, dated November 2011.]

2. Form, Style and Placement in Administrative Code

a. The introductory clause should conform to the format prescribed by s. 1.02 (1) (b), Manual. The treatment of s. DWD 127.02, Wis. Adm. Code should follow the action “to amend”, rather than “to repeal”. Additionally, the section should read as follows: “127.02 (intro.), (1) to (4)”.

b. The rule should include a deadline for submission of comments.

c. In SECTION 11, page 11, line 3, the subsection states that “All of the following actions...shall constitute a reasonable work search action.”. Does the rule intend to require all of the enumerated actions that follow be completed to constitute a reasonable work search? Or, does the agency intend that *any* of the actions independently may qualify as a reasonable work search?

d. Section DWD 127.01 (2) (e) should be amended to end with a period and should be included in the treatment clause of SECTION 13.

e. In SECTION 22, page 15, line 15, the amended language should include an “or” between “work share program” and “in a self-employment assistance program...”.

f. In SECTION 24, page 16, line 15, the line states that the “claimant shall retain verification of all work search efforts for 52 weeks following the week in which the work search actions occurred and shall include all of the following.”. Does this line intend that all following

items be considered “verification” that must be retained? If so, this line should be rephrased for clarity.

g. In SECTION 24, page 17, line 1, the language stating “In the case of” should be deleted to ensure consistency between paragraphs. The line should read: “Registration with a union and placement facilities: the date on which the claimant registered...”.

h. In SECTION 28, page 18, lines 5 to 7, the paragraph provides that a claimant may be required to conduct five work search actions in any week when the department determines the claimant’s employment history or conduct indicates a lack of genuine interest in accepting new work. However, the section fails to specify what criteria will be used to determine a lack of genuine interest.

5. Clarity, Grammar, Punctuation and Use of Plain Language

In SECTION 11, page 11, line 2, the subject and verb do not agree. The sentence reads: “The department expects each claimant to conduct themselves as would a prudent person...”. The line should be changed to “The department expects claimants...” or the existing amendment should be disregarded.