

CR 91-78

RULES CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPT. OF INDUSTRY,)
LABOR & HUMAN RELATIONS)

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Carol Skornicka, Secretary of the Department of Industry,
Labor and Human Relation, and custodian of the official records of said department, do hereby certify the
the annexed rule(s) relating to summaries of proceedings were duly
(Subject)
approved and adopted by this department on September 10, 1991.
(Date)

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

RECEIVED

SEP 10 1991
10:15 am
Revisor of Statutes
Bureau

IN TESTIMONY WHEREOF, I have hereunto set
my hand and affixed the official seal of the
department at 8:00 a.m.
in the city of Madison, this 10th
day of September A.D. 19 91.

Pat Malone
Secretary

11-1-91

ORDER OF ADOPTION

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s)

101.02(1), 101.22(3) and 111.375(1)

Stats., the Department of Industry, Labor and Human Relations creates; amends; Ind 88.12,
and repeals and recreates; repeals and adopts rules of Wisconsin Administrative Code chapter(s):
88.14(2) and 89.23(3)

Ind 88.18(5) & 89.22(4) Equal Opportunities: Fair Employment and Fair Housing
(Number) (Title)

The attached rules shall take effect on the first day of the month following publication

in the Wisconsin administrative register pursuant to section 227.22, Stats.

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Adopted at Madison, Wisconsin this

date: September 10, 1991

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN
RELATIONS

Pat Osborne

Secretary

for



State of Wisconsin \ Department of Industry, Labor and Human Relations

RULES in FINAL DRAFT FORM

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Rule No.: IND 88.18(5) and 89.22(4)

Relating to: Summaries of proceedings in fair employment and
fair housing cases

Rule Text

SECTION 1. Ind 88.12 is amended to read:

Ind 88.12 In any case set for hearing, pre-hearings may be held in accordance with the provisions of ~~s. 227.07(4)~~ s. 227.44(4), Stats.

SECTION 2. Ind 88.14(2) is amended to read:

Ind 88.14(2) A party may obtain discovery prior to hearing, except that discovery directed to a ~~complainant~~ complainant who is not represented by legal counsel shall not be permitted in the absence of written consent by the administrative law judge. The scope of discovery, the methods of discovery and the use of discovery at hearing will be the same as set forth in ch. 804, Stats. The administrative law judge has the same authority to compel discovery, to issue protective orders and to impose sanctions as the court has under ch. 804, Stats. Copies of all demands for discovery and responses to demands for discovery shall be filed with the division when they are served. Discovery may not be used prior to the time that a matter is certified to hearing, except that the taking and preservation of evidence shall be permitted prior to certification to hearing under the circumstances set forth in ~~s. 227.08(7)~~ s. 227.45(7), Stats.

SECTION 3. Ind 88.18(5) and Ind 89.22(4) are repealed. This section will apply to decisions which are issued after the effective date of this rule.

SECTION 4. Ind 89.23(3) is amended to read:

Ind 89.23(3) A petition for review of any decision which is appealable to the labor and industry review commission, other than as set forth in ~~sub. (1)~~ sub. (2), shall be filed within 21 days after the date that a copy of the administrative law judge's decision and order is mailed to the last ~~known~~ known addresses of the parties.

SECTION 5. EFFECTIVE DATE. This rule shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22(2)(intro.), Stats.

(End)

Tommy G. Thompson
Governor
Carol Skornicka
Secretary



Mailing Address:
201 E. Washington Avenue
Post Office Box 7946
Madison, WI 53707-7946
Telephone (608) 266-7552

State of Wisconsin
Department of Industry, Labor and Human Relations

September 10, 1991

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Gary Poulson
Assistant Revisor of Statutes
2nd Floor
119 Martin Luther King Blvd.
Madison, Wisconsin 53703

Douglas LaFollette
Secretary of State
10th Floor
30 West Mifflin Street
Madison, Wisconsin 53703

SEP 10 1991
Revisor of Statutes
Bureau

Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO. 91 - 78

RULE NO. IND 88.18(5) and 89.22(4)

RELATING TO: Summaries of proceedings in fair employment and fair housing cases


Pursuant to section 227.20, Stats., agencies are required to file a certified copy of every rule adopted by the agency with the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you:

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.114, Stats., a summary of the final regulatory flexibility analysis is included for permanent rules. A fiscal estimate and fiscal estimate worksheet is included with an emergency rule.

Respectfully submitted,


Carol Skornicka
Secretary