

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 Relations, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to:

Work Registration and the Job Search Assistance Demonstration Project

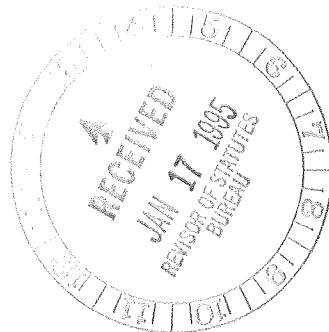
(Subject)

were duly approved and adopted by this department on January 17, 1995.
 (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.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 8:30 a.m. in the city of Madison, this 17th day of January A.D. 19 95.

Carol Skornicka
 Secretary



ADM-6056

ORDER OF ADOPTION

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

101.02(1), 108.04(2)(b), 108.14(2), 108.015 and 227.11(2), Stats.

Stats., the Department of Industry, Labor and Human Relations creates; amends;

repeals and recreates; repeals and adopts rules of Wisconsin Administrative Code

chapter(s):

ILHR 126
(Number)

Work Registration and the Job Search Assistance Demonstration Project
(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.



Adopted at Madison, Wisconsin this

date: January 17, 1995

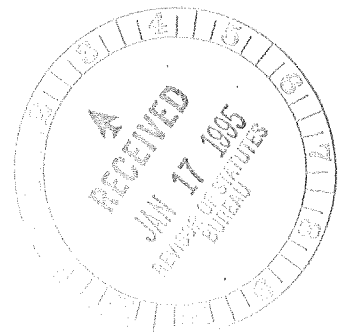
DEPARTMENT OF INDUSTRY, LABOR AND
HUMAN RELATIONS


Secretary



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

RULES in FINAL DRAFT FORM



Rule No.:

Chapter ILHR 126

Relating to:

Work Registration and the Job Search Assistance
Demonstration Project

Clearinghouse Rule No. 94 - 171

STATUTORY AUTHORITY. Pursuant to the authority vested in the department of industry, labor and human relations by ss. 101.02(1), 108.04(2)(b), 108.14(2), and 227.11(2), Stats., the department hereby proposes to repeal ILHR 126.04(2)(b)2; to renumber ILHR 126.04(2)(b)3; and to amend ILHR 126.02(3), 126.03(intro.), 126.03(2)(b) and (c), 126.04(2)(b)1, and 126.05 (intro.).

The Wisconsin Department of Industry, Labor and Human Relations proposes an order to repeal ILHR 126.04(2)(b)2; to renumber ILHR 126.04(2)(b)3; and to amend ILHR 126.02(3), 126.03(intro.), 126.03(2)(b) and (c), 126.04(2)(b)1, and 126.05 (intro.).

Statutory Authority: ss. 101.02(1), 108.04(2)(b), 108.14(2) and 227.11(2)

Statutes Interpreted: ss. 108.04(2)(a) and (b)

ANALYSIS OF PROPOSED RULES PREPARED BY:
THE DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

Section 108.04(2), Stats., provides that a claimant for unemployment compensation must register for work. The statute authorizes the Department of Industry, Labor and Human Relations (Department) to promulgate rules establishing the requirements for work registration.

The Department has promulgated permanent rules establishing the requirements with which a claimant must comply to satisfy the work registration requirement. These rules are set forth in Chapter ILHR 126.

Wisconsin was one of only a few states which were chosen by the U.S. Department of Labor (DOL) to participate in a project for the purpose of studying the effectiveness of various types of job search assistance services. These amendments to Chapter ILHR 126 are necessary in order to meet the federal requirement that claimants assigned to the demonstration project who fail to participate in the project will be found ineligible for unemployment compensation benefits unless they have justifiable cause for their failure to participate. This rule provides that a claimant will not be considered to have met the statutory work registration requirement if s/he has been assigned to, but is not participating in, the demonstration project.

Section ILHR 126.02 has been amended to specify that the Job Search Assistance Demonstration Project is a reemployment program approved by the department for the purpose of meeting the statutory work registration requirement.

Section ILHR 126.03 has been amended to specify that the work registration requirement will be waived if the claimant has already been referred to the Job Search Assistance Demonstration Project and has satisfactorily completed his/her participation in that project.

Section ILHR 126.04 has been amended to provide that mere selection to participate in the Job Search Assistance Demonstration Project is not sufficient to meet the work registration requirement.

Section ILHR 126.05 has been amended to serve as a listing of justifiable cause for failure to participate in any reemployment program approved by the department for the purpose of meeting the work registration requirement.

SECTION 1. ILHR 126.02 (3) is amended to read:

(3) A claimant shall be considered registered for work if he or she is enrolled in or otherwise complying with department ~~directives~~ directions concerning other reemployment programs approved by the department for this purpose, or if the claimant is not complying but has justifiable cause for failure to participate under s. ILHR 126.05. Such programs include, but are not limited to, the job search assistance demonstration project.

SECTION 2. ILHR 126.03(intro.) is amended to read:

ILHR 126.03 WAIVER OF WORK REGISTRATION REQUIREMENT. ~~Under s. 108.04(2)(b), Stats., the department may waive a claimant's work registration requirement.~~ The department shall waive the a claimant's work registration requirement for any week if:

SECTION 3. ILHR 126.03(2)(b) and (c) are amended to read:

- (b) Has been referred during the current benefit year for reemployment services or to the job search assistance demonstration project; and
- (c) Has satisfactorily completed such services or project participation.

SECTION 4. ILHR 126.04(2)(b)1 is amended to read:

- 1. The claimant has not been referred for reemployment services; or

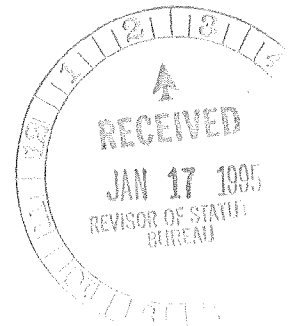
SECTION 5. ILHR 126.04(2)(b)2 is repealed.

SECTION 6. ILHR 126.04(2)(b)3 is renumbered 126.04(2)(b)2.

SECTION 7. ILHR 126.05(intro.) is amended to read:

126.05 JUSTIFIABLE CAUSE FOR FAILURE TO PARTICIPATE. The department may find that a claimant has justifiable cause for failing to participate in reemployment services or other department approved reemployment programs in any week. Justifiable cause includes, but is not limited to, the following:

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.



Tommy G. Thompson
Governor

Carol Skornicka
Secretary



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State of Wisconsin Department of Industry, Labor and Human Relations

January 17, 1995

Gary Poulson
Assistant Revisor of Statutes
Suite 800
131 W. Wilson St.
Madison, Wisconsin 53703-3233

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

Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO.: 94-171

RULE NO.: ILHR 126

RELATING TO: Work Registration and the Job Search Assistance Demonstration Project

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,

A handwritten signature in cursive script, appearing to read 'Carol Skornicka'.

Carol Skornicka
Secretary

