

LABOR AND INDUSTRY REVIEW COMMISSION 1
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Chapter LIRC 1

GENERAL

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LIRC 1.01 General. The labor and industry review commission has jurisdiction for review of cases arising under ss. 40.65(2), 56.07(7), 56.21, 66.191, 101.22, 101.223(4), 102.18(2) and (3), 108.09(6) (a), 108.10(2) and 111.36, Stats.

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

LIRC 1.02 Petitions. All petitions for commission review shall be received within the statutory appeal period provided in each individual program within the commission's jurisdiction. "Received" means physical receipt. A mailed petition postmarked on or prior to the last day of an appeal period but received on a subsequent day is not a timely appeal. All petitions or appeals shall be in writing. The receipt may be on the next succeeding business day if the last day for filing falls on Saturday, Sunday or any of the following:

- (1) January 1;
- (2) Good Friday;
- (3) the last Monday in May;
- (4) July 4;
- (5) the first Monday in September;
- (6) the fourth Thursday in November;
- (7) December 24, 25 or 31;
- (8) the Monday following if January 1, July 4 or December 25 falls on Sunday.

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

LIRC 1.03 Review. Review by the commission is on the record of the case including the synopsis or summary of the testimony or other evidence presented at the hearing as prepared by the department of industry, labor and human relations' hearing examiner who presided at the hearing. Consideration of the hearing tapes or a transcript of the hearing testimony is discretionary with the commission.

History: Cr. Register, March, 1981, No. 303, eff. 4-1-81.

LIRC 1.04 Hearings. The commission does not conduct or hold hearings. If the record in an individual case is inadequate, the commission may in its discretion remand the case to the department of industry, labor and human relations to act as deputy on behalf of the commission.

History: Cr. Register, March, 1981, No. 303, eff. 4-1-81.

LIRC 1.05 Oral argument. Oral argument before the commission is not considered necessary since the commission review is on the basis of the record, since the parties have the right to file briefs with the commission, and since the granting of oral argument unnecessarily delays the

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timely disposition of appeals by the commission. However, a request for oral argument may be granted if the commission determines in its discretion that an issue or question would be more clearly presented by oral argument. Any written request for oral argument shall be granted or denied in writing by the commission.

History: Cr. Register, March, 1981, No. 303, eff. 4-1-81.