

State of Wisconsin



2023 Assembly Bill 152

Date of enactment:
Date of publication*:

2023 WISCONSIN ACT

AN ACT to create 16.004 (18m), 108.14 (10m), 108.14 (23m), 108.14 (29) and 108.14 (30) of the statutes; **relating to:** various changes to the unemployment insurance law and authorizing the secretary of administration to transfer employees from any executive branch agency to the Department of Workforce Development for certain purposes.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1c. 16.004 (18m) of the statutes is created to read:

16.004 (18m) TEMPORARY ASSIGNMENT OF EMPLOYEES TO DEPARTMENT OF WORKFORCE DEVELOPMENT. (a) In this subsection:

1. "Allowable period" means a period described in par. (c).
2. "State agency" means any office or department in the executive branch of state government.

(b) Notwithstanding s. 230.047, the secretary may transfer any employee to the department of workforce development from any other state agency to provide services for the department of workforce development that are needed to hear and decide appeals under s. 108.09 (4). Such an employee may, notwithstanding s. 108.09 (3) (a), serve as an appeal tribunal under ss. 108.09 to 108.10, subject to approval by the secretary of workforce development. The department of workforce development shall pay all salary and fringe benefit costs of the employee during the time he or she is providing services for the department of workforce development.

(c) A transfer under par. (b) may be made at any time for 120 days, unless an extension is approved by the joint committee on finance as set forth in par. (d).

(d) The secretary may submit a request to extend an allowable period under par. (b) to the cochairpersons of the joint committee on finance in writing. If the cochairpersons of the joint committee on finance do not notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the request within 14 working days after the secretary submitted the request, the secretary may extend the allowable period by 120 days. If, within 14 working days after the secretary submitted the request, the cochairpersons of the joint committee on finance notify the secretary that the committee has scheduled a meeting for the purpose of reviewing the request application, the department may extend the allowable period only with the committee's approval. The committee shall notify the secretary of all of its actions taken under this paragraph.

(e) If an employee is transferred under par. (b), the department of workforce development may not increase the employee's salary at the time of transfer or during the time he or she is providing services for the department of workforce development, and the state agency from which the employee was transferred may not increase the employee's salary at the time the employee returns to the state agency.

(f) The secretary shall submit a report to the joint committee on finance, no later than the first day of the

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

2nd month beginning after an allowable period has begun and on the first day of each subsequent month during an allowable period, that provides information on all employee transfers under par. (b). Each report shall specify the number of employees transferred, the title of each employee transferred, the title the employee assumed at the department of workforce development, and the reasons for each employee transfer.

SECTION 1m. 108.14 (10m) of the statutes is created to read:

108.14 (10m) The department shall implement identity-proofing measures for claimants who are engaging in benefit-related transactions with the department that satisfy all of the following:

(a) The measures require a claimant to verify his or her identity prior to filing an initial claim for benefits and when engaging in other transactions with the department.

(b) The measures achieve the IAL2 and AAL2 standards adopted in the National Institute of Standards and Technology's Digital Identity Guidelines.

SECTION 2. 108.14 (23m) of the statutes is created to read:

108.14 (23m) The department shall provide training materials on the unemployment insurance system, including all of the following:

(a) Training videos for claimants and employing units published on the department's website.

(b) Live training seminars for employing units that are free of charge and provided on a quarterly basis. The seminars may be in-person, online, or both.

SECTION 3. 108.14 (29) of the statutes is created to read:

108.14 (29) (a) The department shall maintain a call center to provide assistance and support by telephone to claimants for benefits under this chapter or payments under federal assistance programs for unemployment.

(b) The department shall, during each of the following periods, extend the call center hours to include hours after 5 p.m. on weekdays and at least 16 hours on weekends:

1. During a declared state of emergency for the state that causes or relates to an increase in unemployment claims.

2. For 90 days after any week in which the call center experiences an increase of at least 300 percent in calls compared to the same week during the previous year, and for 90 days after each subsequent week in which such an increase occurs.

SECTION 4. 108.14 (30) of the statutes is created to read:

108.14 (30) (a) The department shall, on at least a weekly basis, perform a comparison of recipients of benefits under this chapter against all of the following for the purpose of detecting fraud or erroneous payments:

1. Nationally recognized databases that contain information on death records, including the federal social security administration's death master file.

2. The National Association of State Workforce Agencies' integrity data hub.

3. The national directory of new hires maintained by the office of child support enforcement in the U.S. department of health and human services.

4. Prisoner databases maintained by the department of justice, the department of corrections, and the U.S. department of justice.

(b) The department may perform comparisons of recipients of benefits under this chapter against public or private databases in addition to those specified in par. (a) 1. to 4.

SECTION 6. Effective date.

(1) This act takes effect on the Sunday after publication.