I. Introduction

- Over generalization: temporary income support for persons unemployed “through no fault their own”

- “Insurance” model. Employers pay insurance contributions [taxes] on portion of wages paid; tax rate a function of employer’s “experience rating” and solvancy of the fund
  SAFI: special assessment for interest (on federal loans to State)

  employee benefits a function of wages earned in base period
  
  1st 4 of last 5 completed quarters
  weekly benefit rate (WBR) = 4% of highest quarter earnings
  must also have earning outside highest quarter
  total benefits (state) = up to 26 x WBR

- State law (Wis. Stats. Ch. 108) with a federal overlay

  up to “26 weeks” of regular (state benefits)

  FUTA (6% federal tax; credit against federal credit)

  Extended Benefits http://dwd.wisconsin.gov/uiben/extended_benefits.htm
  
  Tier 3 nine weeks triggers off February 9, 2013
  Tier 2 14 weeks still on
  Tier 1 14 weeks still on

  EUC08 overlays on tax credits reductions

- Start claims 1-800-UCCLAIM or
  https://my.unemployment.wisconsin.gov/Claimant/Account/Logon or
  https://dwd.wisconsin.gov/uiben/apply_online.htm
  Before applying page: https://dwd.wisconsin.gov/uiben/before_menu.htm

- Weekly claims filed within 14 days of end of week claimed

II. Procedural Framework -- and time limits

- Initiating Claims
  Claim initiated by claimant
  Must claim to trigger waiting period
  Employer notified; opportunity to dispute
  Telephone interview(s) of employer and claimant
  Initial Determination [approximately 3 weeks after claim initiated]

- Appealing Initial Determination (request for hearing)
  14 days from mailing ID [not 3 day extension]
  On line: https://ucclaim-wi.org/uibolaonlineappeal/
  Milwaukee FAX: (414) 227-4264
  Other contact numbers: http://dwd.wisconsin.gov/ui/ui_contacts.htm
• Appeal Tribunal
  presumption of eligibility
  contested evidentiary hearing on the record
  approximately 3-4 weeks after appeal
  Quick and dirty hearings (approximately 60 minutes)
  Decision 7-10 days later

• LIRC Appeal postmarked within 21 days of ATD decision (no 3 day extension)
  electronic LIRC petition: http://dwd.wisconsin.gov/lirc/petition.htm
  FAX number: (608) 267-4409
  P. O. Box 8126, Madison WI 53708-8126

III. Unemployment Compensation in the broader context

  Quick and dirty hearings
  Mechanism to facilitate settling larger employment law dispute

IV. Unemployment Compensation law in the narrower context -- avoiding malpractice in that
that first interview

  Where in the process?
  Appeal filed? When in doubt, appeal. When not in doubt, appeal
  KEEP CLAIMING EACH WEEK
  Marquette UC Clinic -- intitial interviews Monday or Tuesday, first 3 months of
  semester?

V. Things that get fought about

  Separation issues:
    discharge for misconduct: Boynton Cab v. Neubeck 108.04(7)
    108.04(7g)
    Quit or Discharge;
    Reasons Permitting immediate payment of benefits after voluntary quit

    “Able & Available”

    “Suitable Work”

    Overpayments and waiver of overpayments

    Phoney “independent contractors”

VI. Things that don’t get fought about (usually)

    Base period wages
    Benefit computations

VI. On the horizon -- re-write of discharge disqualification and possible effect on FUTA tax
credit or credit reduction limit.

VII. Little known facts

    Partial unemployment benefits ($30 + 1/3/ disregard of gross earnings); new $500/wk cap
    Wisconsin passed nation’s first UC law
    Boynton Cab v Neubeck seminal decision in nation on discharge for misconduct