
JOINT ENFORCEMENT TASK FORCE ON MISCLASSIFICATION AND PAYROLL

Virtual Meeting via WebEx

June 24, 2021
10:00 am – 12:00 pm

Meeting Notes

A. Workgroup Updates

1. **DFI Registration** – Cynthia Buchko- reported on members – Marc Shovers, David Haushalter and Tim DeMinter. They met yesterday to plan. Next meeting is August 23 at 1pm. New members will include Sen. Kooyenga, Maria Guerra Lapacek, and representatives from other state agencies.
2. **Upstream Liability** – Mark Reihl – The group did not meet but Mark will be contacting the members next week to schedule meetings. So far, the members are Jerry Shea, Nathan Jurowski, Andy Buck, Mike Morris and Rep. Sinicki. Mark will be reaching out to schedule next week.
3. **Independent Contractor Test** – Steve Peters – The group will meet soon to review the tests across the divisions, federal tests and other state tests, including California. Identify strengths and weakness of the tests and make a recommendation of whether Wisconsin should change its tests to a unified test. Right now, only Stu Wilson has volunteered to be on the committee. Steve asked that others who are interested in being part of the group contact him.

B. Committee Updates

1. **Outreach and Education Committee** – Jesús Villa
Jesús reported that the committee is still on its plan. A public survey was completed, and results are being considered in future activities. The website has been updated with posters translated into Spanish. Outreach currently includes reaching out to other partners to collaborate and align resources.
2. **Joint Investigations and Enforcement** – Maria Guerra Lapacek
DOR has worked on identifying companies who misclassify and is looking into data technology to find similarities among them to use for future auditing criteria. DOR has amped up their enforcement due to new referral information. The group is working on doing more electronic transfers of data to add efficiencies to auditing decisions. The group continues to work with DFI to understand their enforcement limitations. DOR now includes language in the findings letter that they may or may not be registered with DFI and the penalties for not complying.

C. Legislative Updates

1. DWD Legislative updates – Cara Connors, DWD – see [PowerPoint](#)

2. Other Legislative updates –
Rep. Sinicki Office - Task force recommendations were removed from the budget by JFC. So will need to be introduced as separate legislation. Danielle Williams confirmed and offered DWD support if legislators would like

- D. **Wisconsin Department of Justice, Misclassification Prosecution Unit** – Andrew Kramer, Assistant Attorney General, DOJ
Andrew Kramer, AAG, gave an overview of the new pilot prosecution unit at the department of justice. This will provide more resources, including connections to local Das, federal prosecutors, and state agencies to investigate, refer, and/or prosecute fraud and misclassification crimes.
- E. **Update on Labor Trafficking** – Mariana Rodriguez, Director of UMOs Latina Resource Center and Javier Acevedo, Lead Victim Advocate – [See PowerPoint](#)

Closing

Next Meeting September 23 at 10 am. A survey will be sent to members to collect feed back on the preferred meeting venue (virtual or in person) and location if in person, along with other feedback related to the Labor Trafficking presentation.

ATTENDANCE:

<u>Task Force Position</u>	<u>Name</u>	<u>Present - 6/24/21</u>
DWD Secretary or designee	Sec. Designee Amy Pechacek	X
Attorney General or designee	Michael Morris	by Andrew Kramer, DOJ
DOR Secretary or designee	Maria Guerra Lapacek	X
OCI Secretary or designee	Nathan Houdek	by David Haushalter, OCI
DWD Worker's Compensation Division	Steve Peters	X
DWD Unemployment Insurance Division	Mark Reihl	X
DWD Equal Rights Division	Jesus Villa	X
Workers Representative	Andy Buck	
Business Community Representative	Pete Braun	X
Senate Majority Caucus	Sen. Dale Kooyenga	by Chris Rochester
Senate Minority Caucus	Sen. Bob Wirsch	by Matt Archambo
Assembly Majority Caucus	Rep. Rob Brooks	by Christopher Schaefer
Assembly Minority Caucus	Rep. Chris Sinicki	by Mary Beth George
Public Member	Cynthia Buchko	X
Public Member	Steuart Wilson	
Public Member	Jerry Shea	X
Public Member	VACANT	
Public Member	Tim DeMinter	X