

# UNEMPLOYMENT INSURANCE ADVISORY COUNCIL

## Meeting Minutes

### Offices of the State of Wisconsin Department of Workforce Development

201 E. Washington Avenue, GEF 1, Madison, WI

November 16, 2023

### Held In-person and Via Teleconference

The meeting was preceded by public notice as required under Wis. Stat. § 19.84.

**Members:** Janell Knutson (Chair), David Bohl, Sally Feistel, DiAnn Fechter, Corey Gall, Mike Gotzler, Shane Griesbach, Christopher Harris, Scott Manley, Susan Quam, and Kathy Thornton-Bias

**Department Staff:** Jim Chiolino (UI Division Administrator), Andy Rubsam, Jim Moe, Jason Schunk, Shashank Partha, Melissa Montey, Jeff Laesch, Mike Myszewski, Jennifer Wakerhauser (DWD General Counsel), and Joe Brockman

**Members of the Public:** Victor Forberger (Attorney, Wisconsin UI Clinic), Anita Krasno (LIRC General Counsel), and Cindy Buchko (Construction Business Group).

#### 1. Call to Order and Introductions

Ms. Knutson called the Unemployment Insurance Advisory Council to order at 10:04 am under the Wisconsin Open Meetings Law. Attendance was taken by roll call, and Ms. Knutson acknowledged the department staff in attendance.

#### 2. Approval of Minutes of the October 26, 2023, UIAC Meeting

Motion by Mr. Manley, second by Mr. Gall, to approve the minutes of the October 26, 2023, meeting without correction. The vote was taken by roll call and passed unanimously.

#### 3. Department Update

No Department update was provided at this meeting.

#### 4. Trust Fund Update

Ms. Knutson stated that the Trust Fund financial statement has not been completed. Ms. Knutson stated that Director Shashank Partha was available to answer members' questions.

#### 5. Quarterly Report on UI Information Technology Systems (7/1/23 – 9/30/23)

Ms. Knutson stated that the quarterly update can be found in members' packets.

Ms. Thornton-Bias stated that she would like the Department to review with the Council the Benefits Key Performance Indicators on a quarterly basis.

Ms. Knutson stated that she will have an update on the Benefits Key Performance Indicators available for Council members at a future meeting.

## **6. Department Proposals to Amend the Unemployment Insurance Law**

- D23-01 – Amend Social Security Disability Insurance Disqualification
- D23-02 – Worker Misclassification Penalties
- D23-03 – Discharge for use of Marijuana
- D23-04 – Imposter Penalty
- D23-05 – Electronic Communication and Filing

Ms. Knutson stated that copies of the Department's proposals can be found in members' packets.

Ms. Knutson stated that D23-04, the Imposter Penalty, was approved by the Council at the September meeting with one amendment. Ms. Knutson requested that Council revisit D23-04 and approve a change in the language to provide that the penalty for known imposters that receive fraudulent benefits remains the same as in the current law in order to conform to federal requirements.

## **7. Rulemaking Proposal**

- Proposed scope statement for UI Hearings – DWD 140

Ms. Knutson stated a copy of the proposed scope statement can be found in members' packets.

## **8. Labor and Management Proposals to amend the Unemployment Insurance Law**

Ms. Knutson suggested that Council members would be working on proposals in caucus today.

## **9. Research Requests**

Ms. Knutson stated that there were no research requests.

## **10. 2023-2024 UIAC Timeline**

Ms. Knutson stated that the timeline is included in members' packets

## **11. Future Meeting Dates**

Ms. Knutson stated that the future meeting dates are listed on the agenda.

Both Mr. Manley and Mr. Gall stated that they would be unavailable for the December 21, 2023 meeting.

Motion by Mr. Manley, second by Mr. Gotzler, that the Council convene in closed caucus to deliberate Department proposals, Labor and Management proposals, and other items on the agenda, and to report back. The vote was taken by roll call and passed unanimously.

The Council went into closed caucus at 10:13 am

The Council reconvened in open session at 12:39 pm

Mr. Manley stated that Management and Labor reached agreement on the requested changes to D23-04 Imposter Penalty and D23-05 Electronic Communication and Filing proposals.

Motion by Mr. Manley, second by Mr. Griesbach, to approve the requested changes to the D23-04 proposal and to approve proposal D23-05.

The vote was taken by roll call and passed unanimously.

Mr. Manley stated that Labor and Management are working on the remaining proposals. Mr. Manley stated that it is the desire of both Labor and Management to reach agreement at the next meeting.

Mr. Manley stated that Labor and Management agreed to reconvene on Tuesday, December 5, 2023, at 10:00 am, leaving open a virtual option for those members unable to attend in person. Ms. Knutson confirmed that the next Council meeting would be on Tuesday, December 5, 2023, at 10:00 am.

### **13. Adjourn**

Motion by Ms. Feistel, second by Ms. Quam to adjourn. The motion passed by a unanimous voice vote.

The Council adjourned at 12:42 pm.