

Dept. of Workforce Development: Worker's Compensation Advisory Council holds public hearing

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MADISON, Wis. – The Wisconsin Worker's Compensation Advisory Council held a public hearing on Thursday, Dec. 15, to seek input on recommending law changes to the Legislature concerning the state's worker's compensation program.

"Input from the public, both during the hearing and in written comments, provides an important contribution in the process that results in positive changes to our state's worker's compensation system," DWD Secretary-designee Amy Pechacek said. "Members of the advisory council give careful consideration to all comments received as they work collaboratively to develop and send the Legislature a bill that, in line with decades of tradition, reflect agreement across employer and worker interests."

The public hearing is one of the first steps in what is commonly referred to as the biennial "agreed-upon bill" cycle to make changes to the state's Worker's Compensation Act, which was passed in 1911 and modified through the years. The council also is receiving written comments until Jan. 16, 2023.v

During the hearing, the council receives testimony from a variety of stakeholders representing labor, management, insurance, legal, and other perspectives. The council's labor and management members negotiate amendment proposals and jointly approve an agreed-upon bill with the changes. Agreed-upon bills require approval from the Legislature and Governor to become law. Gov. Tony Evers signed the most recent worker's compensation agreed-upon bill in April 2022. Some highlights of the recent legislation include:

- An increase in the maximum weekly rates for permanent partial disability, to \$415 for injuries occurring on and after the effective date and to \$430 for injuries occurring on and after Jan. 1, 2023.
- Language recognizing that individuals who provide services to elderly and disabled people under long-term care programs are considered employees of the entities providing fiscal management services (fiscal agents) for those persons for worker's compensation purposes.
- Limits on wage expansion for part-time workers who are employed by another employer or who are employed part-time less than 12 months before the injury.
- An amendment to the definition of "employer" to clarify that every person who at any time employs three (3) or more employees in Wisconsin is subject to the Wisconsin Worker's Compensation Act on the day on which the person employs three (3) or more employees in the state.

Council Currently Accepting Written Comments

Written comments may be submitted to Steve Peters, Chair, Worker's Compensation Advisory Council, 201 E. Washington Ave., Room C100, Madison, WI 53703, or via email to: WCAdvisoryCouncil@dwd.wisconsin.gov. **The submission deadline for written comments is Monday, Jan. 16, 2023.**

About the Worker's Compensation Advisory Council

A citizen advisory council has existed in some form since 1911 to assist the department and Legislature in amending the Wisconsin Worker's Compensation Act. The Wisconsin Worker's Compensation Advisory Council was codified by Chapter 327 Laws of 1967 (effective Feb. 18, 1968) to advise the department and Legislature on policy matters concerning the development and administration of the worker's compensation law. One of the important enduring values of the council is maintaining the overall stability of the workers compensation system without regard to partisan changes in the legislative or executive branches of government.

The statutes prescribe the council's membership as follows:

- Five employee representatives (voting members).
- Five employer representatives (voting members).

- Three insurer representatives (non-voting members).
- One department representative (traditionally serves as chair).