

# STATEMENT OF SCOPE

## DEPARTMENT OF WORKFORCE DEVELOPMENT

### Rule No.

Section DWD 80.13

### Relating to

Audio recording of hearings.

### Rule Type

Permanent.

The Department of Workforce Development (DWD) gives notice pursuant to s. 227.135, Stats., that it proposes to create a new rule in Chapter DWD 80 to authorize the parties to worker's compensation cases to make audio recordings of formal hearings in a non-obstructive and non-disruptive manner.

### Detailed Description of the Objective of the Proposed Rule

The proposed rule would create s. DWD 80.13 that would authorize the parties to worker's compensation cases to make audio recordings of formal hearings in a non-obstructive and non-disruptive manner. With this proposed rule a party may audio record a formal hearing for his or her personal purposes. The audio recording will not be the official record of the hearing. The proposed rule has been approved by the Worker's Compensation Advisory Council.

### Description of Existing Policies Relevant to the Rule, New Policies Proposed to be Included in the Rule, and an Analysis of Policy Alternatives

The proposed rule was approved by the Worker's Compensation Advisory Council. There is currently no statute or rule that addresses the audio recording of a worker's compensation hearing by the parties to the case. The proposed rule authorizes the parties to the case to audio record a hearing in a manner that will maintain decorum.

### Detailed Explanation of Statutory Authority for the Rule (Including the Statutory Citation and Language)

Section 102.15 (2) Stats., provides that subject to ch.102, Stats., the department may adopt its own rules of procedure and may change the same from time to time. Section 103.005 (1), Stats., provides the department shall adopt reasonable and proper rules and regulations relative to the exercise of its powers and proper rules to govern its proceedings and to regulate the mode and manner of all investigations and hearings. The proposed rule is a procedural rule that will regulate the mode and manner of hearings.

**Estimate of Amount of Time that State Employees Will Spend Developing the Rule and of Other Resources Necessary to Develop the Rule**

The estimated time is 80 hours.

**List with Description of All Entities that May Be Affected by the Proposed Rule**

The parties to worker's compensation cases are the entities that will be affected by the proposed rule. The parties include injured employees with worker's compensation claims, employers, worker's compensation insurance carriers, and self-insured employers.

**Summary and Preliminary Comparison with Any Existing or Proposed Federal Regulation that is Intended to Address the Activities to be Regulated by the Proposed Rule**

There are currently no existing or proposed federal regulations related to the proposed rule.

**Anticipated Economic Impact of Implementing the Rule (Note if the Rule is Likely to Have a Significant Economic Impact on Small Businesses)**

The proposed rule will have no economic impact locally or statewide.

**Contact Person**

For program questions:

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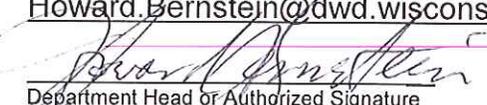
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Department Head or Authorized Signature

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