

## **Attachment B**

# **MEMORANDUM OF UNDERSTANDING**

## **GENERAL INFORMATION**

Labor Law Clinics are designed for the purpose of providing local co-sponsors with a quality seminar program for a large audience with a minimum of local effort.

Local co-sponsors are asked, among other tasks, to propose a date for the Clinic, select a Clinic site, choose up to four topics from a "menu" of choices, identify any particular DWD speakers they would like invited to appear, set the registration fee (with the approval of DWD), and request who in the community or area will be contacted in the advance mailing, i.e., the selection of the counties to which the mailing will be sent.

Because each presentation topic is the same time length, Clinic speakers can, and sometimes do, arrive just before, and leave just after, their presentations.

Divisions of the Department that are asked to provide speakers do so because they have a reasonable assurance that there will be approximately 100 people in the audience, and they evaluate their continued participation in Clinics, in part, on the ability of Clinics to generate that level of attendance. Accordingly, depending on the city or the area of the State in which the clinic is to be produced, minimum attendance levels may be imposed by the Department. If the minimum number of registrations is not realized, the Department, at its discretion, may cancel the clinic.

Because the Department promotes attendance at Labor Law Clinics statewide, it is unable to make major changes in the Clinic format for a particular area. Clinic publicity states that Clinics will be similar in design from area to area. Local co-sponsors needing a program different than a Labor Law Clinic should consider developing and producing their own program.

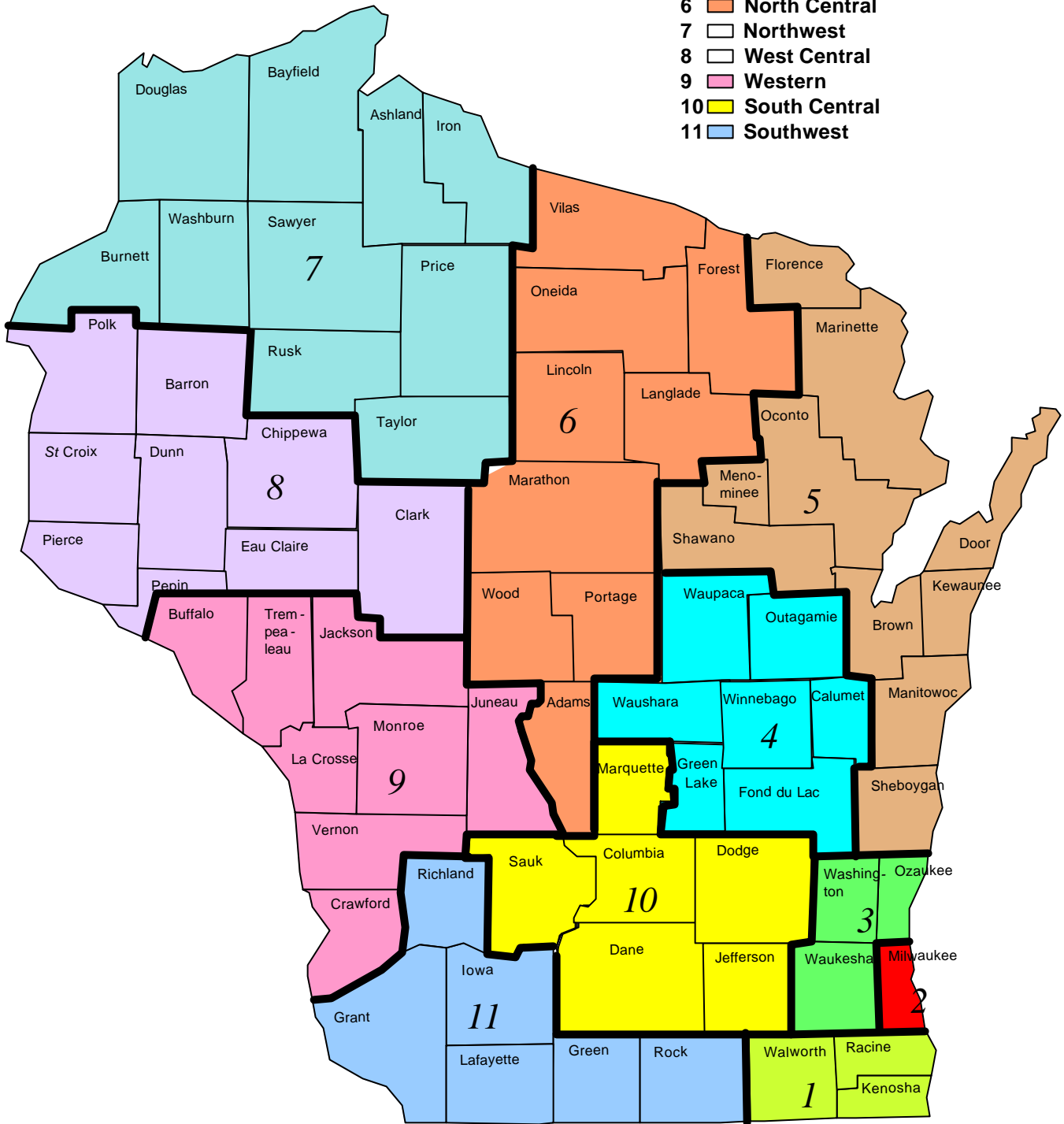
## **APPLICATIONS**

Applications are accepted by the Department for clinics in a particular community on a first-come, first-served basis, when considering the requested date and city. Clinics must be requested at least 90 days in advance of the desired event date.

Each Workforce Development Area in the state of Wisconsin will hold a Clinic once per year, except for Area 2 (Milwaukee), which will hold a Clinic twice per year. Each Area has been assigned a month to hold the Clinic, which is listed below. The location of the Clinic in each Workforce Development Area will be determined by the order in which applications are received and by an analysis done by DWD looking at a variety of factors that could impact Clinic attendance. Past co-sponsorship of one or more Clinics does not give that co-sponsor any priority over other applicants for future Clinics.

# Wisconsin's Workforce Development Areas

- 1 ■ Southeast
- 2 ■ Milwaukee County
- 3 ■ Waukesha-Ozaukee-Washington
- 4 ■ Fox Valley
- 5 ■ Bay Area
- 6 ■ North Central
- 7 ■ Northwest
- 8 ■ West Central
- 9 ■ Western
- 10 ■ South Central
- 11 ■ Southwest



**The annual Clinic schedule by Workforce Development Area is:**

January – Area 1  
February – Area 3  
March – Area 10  
April – Area 8  
May – Area 2, North  
June – Area 7  
July – Area 6  
August – Area 9  
September – Area 5  
October – Area 4  
November – Area 11  
December - Area 2, South

Once a local co-sponsor submits an application for a Clinic, and if there is no other application previously submitted for that same time period and city, the local co-sponsor has priority for a Clinic in that city on that date. This "date hold" does not mean a Clinic is confirmed for that date, but only that it has first preference for the date in the event the clinic application is approved by the Department, as further explained below.

**APPROVAL/CONFIRMATION OF CLINICS**

Clinics are not confirmed until the Department can confirm speakers on the date requested for each of the topics chosen by the local co-sponsor(s) with the appropriate Divisions of the Department. This normally takes 2-3 weeks after the Clinic application is received, and sometimes longer.

If a Clinic is not possible on the date(s) requested due to unavailability of speakers, the applicant will have an opportunity to suggest other dates, or other topics on that date.

The Department shall determine the order of the agenda for the clinic.

In selecting a location/facility for a Clinic (the selection being subject to the approval of the Department), the local co-sponsor should be aware that the Department restricts the number of reservations that can be accepted by the local co-sponsor(s) to 120 persons in all, with the expectation that a maximum of about 100 - 110 actually will attend. (DWD staff who are involved in the production of a Clinic do not register for Clinics and thus do not count against these maximums.)

If the facility advises the local co-sponsor that it requires a minimum number of persons to attend to qualify the Clinic for a free meeting room, the facility must be informed that the Department imposes a 110-person limit that cannot be waived. If the facility is not willing to waive its requirement, the co-sponsor must either budget for the additional room cost or select another facility. If there is no other facility in the area that can accommodate 110 persons on the desired date, contact Yvonne Hagen at (608) 266-3100.

The normal "no show" rate for Clinics is 10 per cent. Local co-sponsors therefore may wish to reduce the meal count and other advance purchases accordingly.

The production of Clinics must be at the highest and best level of professionalism and quality in all respects. In this regard, the Department reserves the right to approve or disapprove a facility proposed for a Clinic site, or any other aspect(s) of a co-sponsor's

proposed clinic features (including the requirement for pre-clinic and break refreshments, and lunch), format, or dynamics. Therefore, prior to making any binding agreements with a facility for a clinic, Clinic applicants should secure Department approval of the facility as a site for a Clinic. The Department may, at its discretion, choose to conduct an on-site inspection of a facility proposed to be used for a clinic for purposes of determining suitability of the facility for a clinic.

## **MINIMUM FACILITY REQUIREMENTS**

The production of Clinics must be at the highest and best level of professionalism and quality in all respects. At the top of the list of items that must meet this requirement is the facility to be used for the clinic.

A facility must be easily accessible using well traveled highways. It should have convenient, paved parking. It must be handicapped accessible. If the facility allows smoking inside it, it should provide a smoking area sufficiently segregated as to not allow smoke to be encountered by non-smoking clinic attendees.

A facility should have significant conference or meeting capacity, i.e., a room, or rooms, customarily used for large meeting, conference, or social events. The room used for the clinic should have a public address system available to be used in the production of the clinic.

There should be ample restroom facilities a short distance from the presentation room. Particularly in the fall, winter, and spring, there should be a coat rack available either in the presentation room or immediately outside it.

The facility should have the capability of providing the food and at least 3 beverage options required for the clinic, which includes continental-type breakfast items as well as items for persons with diabetic concerns beginning at 7:45 a.m., mid-morning break refreshments, lunch, and afternoon break refreshments. If the facility cannot provide this service, another facility that can provide it should be sought. If such a facility isn't available, the facility chosen must be able to accommodate catered food and beverages. The arrival, mid-morning, and afternoon refreshments may be located either in the presentation room or immediately outside it. Lunch should be served in an area separate from the presentation room. If such an area isn't available and the attendees must "picnic" by collecting their food from a buffet and returning to the presentation room to eat, arrangements must be made to have the tables cleared and refreshed prior to resumption of the afternoon clinic presentations.

The facility should have room for two eight-foot-long registration tables placed end-to-end immediately outside the presentation room.

The presentation room should be arranged in a classroom configuration. Either six-foot long or eight-foot long tables may be used. Six-foot tables may have a maximum of two chairs per table. Eight-foot tables may have a maximum of three chairs per table. There must be ample room to walk between the tables without having to have persons seated move. There must be ample room to walk around the entire periphery of the room. There must be a center aisle having ample room for walking.

The first row of tables in the front of the room must be at least 15 feet from the front wall, thus allowing room for a projector table, lectern, projection screen, etc.

As a general rule, the space needed for all functions of a labor law clinic is 25 to 30 square feet per seat. The amount of seating should exceed the number of registrations by 15%.

## **REIMBURSEMENT TO DWD**

The Department only produces Clinics in cooperation with local co-sponsors where the local co-sponsor(s) agrees to reimburse DWD-Unemployment Insurance for part of its production costs. The reimbursement shall be \$27 for each paid registration for each clinic. **Reimbursement to DWD-Unemployment Insurance-LLC shall be made within 45 days after the Clinic has been held.** An accounting of the reimbursement to the Department shall accompany the payment and shall be made on the form entitled **INVOICE/Labor Law Clinic** contained in this Clinic application packet. **In the near future**, the Department will send an invoice for payment.

Local co-sponsors may deduct from its reimbursement its actual cost of any meals provided to Clinic speakers/Clinic staff from the Department. Any other DWD staff attending a Clinic should not be required to pay a registration fee to attend, but should be billed directly for meal and break costs.

## **APPROVAL OF CLINIC ANNOUNCEMENT/FLYER**

The Department will furnish an electronic or FAX draft copy of the Clinic announcement/registration flyer to the local principal co-sponsor and will ask for review and approval of the content. With its approval, the principal local co-sponsor agrees to accept joint liability with the Department for any errors in the draft which are not marked for correction by the local principal co-sponsor and which are repeated in the final version of the flyer.

Co-sponsors are expected to **review the clinic announcement immediately and respond to the Department within two working days from the date the announcement is sent by the Department.** If a response is not received within that time period, the Department will consider that the co-sponsor approves the announcement in the form it was sent to it.

## **BOOSTER MAILINGS**

The Department normally achieves a .0075 - 1.5 per cent response rate to Clinic flyer mailings (meaning the number of persons who sign up for a Clinic as a percentage of the number of employers included in the mailing). If response to the first mailing appears likely to be below 1.5 per cent and if the principal local co-sponsor requests a second mailing at least three weeks in advance of the Clinic date, at its sole discretion, the Department may, at its expense, consider a second mailing to promote a Clinic. The Department may, of its own volition, choose to do a second mailing at its own expense.

## **CO-SPONSOR CANCELLED CLINICS**

If a local co-sponsor cancels a Clinic for reasons within its control after the Division of Unemployment Insurance has mailed the registration materials, the local co-sponsor shall reimburse the Division for postage and production costs of the first mailing and the postage and production costs of the separate mailing announcing the cancellation.

## **HANDLING RESERVATIONS (LOCAL CO-SPONSOR STAFF INFORMATION)**

Since large sums of money are usually involved with only limited financial controls and tracking procedures in place, the Department continues to be concerned about local DWD offices (usually Job Service offices) accepting reservations with accompanying payment for Clinics. The concern is the same whether the payments are cash, checks, or money orders, even if made out to another organization.

For Job Service offices, this concern has resulted in a written Department policy indicating that Job Service offices should not accept Labor Law Clinic reservations with payments nor act as the official or unofficial treasurer of Job Service Employer Committee checking accounts. Accordingly, Job Service offices and/or staff addresses may not be used for accepting Clinic reservations. Some alternatives a local DWD office involved in Clinic production may wish to consider:

1. Have the local non-DWD co-sponsor use its office address, or if there is no office, the address of one of its members, for these reservations.
2. Have that same location be the point of contact for any phone calls from individuals wishing to confirm that their reservation and/or payment has been received and accepted.

If this additional duty is not satisfactory to the local co-sponsor, a Job Service office may serve in an information-providing capacity. Among the ways to do that are:

- a. Check with the local co-sponsor on a case-by-case basis, as inquiries come in. Usually, the number of such inquiries is fairly small. This may require taking the caller's name and telephone number, and calling them back with the information they requested.
- b. Ask the local co-sponsor to fax or mail to the local DWD office copies of reservations that they have received, or where e-mail is an option, to transmit names as registrations arrive.

If your office has any special problems it can not resolve itself as a result of this policy, please contact:

Yvonne Hagen  
Division of Unemployment Insurance  
P.O. Box 7905  
Madison, WI 53707-7905  
(608) 266-3100 Phone  
(608) 267-0593 FAX  
Yvonne.Hagen@dwd.state.wi.us

## **COORDINATION WITH LOCAL DWD OFFICE**

In order to provide Clinic attendees with information on Department resources available to them, if a local co-sponsor is not an entity of the Department, it shall establish contact with the Department employment and training entity in the co-sponsor's geographic area for that purpose. The Department's local entity (Job Center, Job Service, etc.) shall be afforded the opportunity to distribute information and/or to make abbreviated oral presentations to Clinic attendees. These activities shall be brief and shall not infringe on the intent and purpose of the Clinic, which is to instruct attendees in the labor laws administered by the Department.

## **SPECIFIC ADDITIONAL LOCAL CO-SPONSOR RESPONSIBILITIES**

In submitting its application for a Clinic, the local co-sponsor agrees to:

1. Select a facility acceptable to the Department that is accessible by the physically handicapped, that can accommodate up to 140 persons and, where possible, has a separate seating area for meals.
  - a. The co-sponsor must ensure that the facility has a diagram of how the seating is to be configured. The diagram is included with this packet of information. The co-sponsor should meet with the facility coordinator of the clinic event and make sure the coordinator understands exactly what the seating configuration needs to be. Seating should be provided for 115% of the number of registrations received up to the day before the clinic. Seating should be comfortable and roomy with no more than three chairs per 8-foot-long table and two chairs per 6-foot-long table. Seating should be configured so that there is walking room around the entire periphery of the room. The co-sponsor shall verify to the Department that this has been accomplished.
  - b. Before committing to holding a clinic at a facility, the co-sponsor must determine if there are other, high-energy, noisy meetings or activities occurring in rooms adjacent to or across the hall from the clinic. If there is/are, it must be determined, to the extent possible, if the activity(s) will create a significant distraction to the clinic which would make it difficult for the clinic registrants to hear, understand, and appreciate the presentations of the clinic. If it is apparent that there would be a problem in this area, efforts should be made to move the clinic to another, quieter room. If none is available, a different facility should be sought.
  - c. The co-sponsor must discuss and establish with the facility coordinator for the clinic the capability of having the clinic room temperature adjusted when needed.
  - d. The co-sponsor must establish with the facility the exact time lunch is to be served. This is a very critical detail to establish since there are often more than 100 persons eating lunch and there is only 45 minutes to one hour in which to accomplish this.
  - e. Unless unfeasible due to room, equipment, personnel, or other unmanageable constraints, a buffet lunch should be provided as opposed to a sit-down lunch. Economic or financial considerations are not considered unmanageable.
2. Act as treasurer for the event, using the checking account of an established organization.
3. Set a registration fee of at least \$40 and not more than \$77.
4. Handle all reservations and refunds.
5. Accept reservations from other than its own membership on a first-come, first-served basis, regardless of geographic location or organizational affiliation.
6. Limit paid reservations for the clinic to 125.
7. Staff the registration table at the Clinic site for at least one half-hour before, and one half-hour after, the official Clinic starting time and distribute Department handout materials to each registrant.

8. Make all arrangements for lunch and breaks, including selection of food and beverages to be offered; ensure at least two types of beverages for the time period beginning at least 15 minutes prior to the time registration begins (usually 7:45 A.M.) and at both the morning and afternoon breaks, and insure that break refreshments and meal(s) are ready to be served at the times indicated on the agenda. A noon meal must be provided unless circumstances are such that serving a meal would be impossible for reasons beyond the co-sponsor's control. Soda should be offered as a beverage at the noon meal and at the morning and afternoon breaks. It is expected that, if a location or a facility selected by the co-sponsor for the clinic does not or cannot provide a noon meal, an alternate site that can provide a noon meal will be sought.
9. Pay all facility room rental, food and beverage, and related charges.
10. At its option, supply copies of any Clinic handouts to those registered who do not attend and who subsequently request all printed materials from the Clinic.
11. Not use the term "Labor Law Clinic" to describe any other programming that it produces, sponsors, or co-sponsors.

### **SPECIFIC ADDITIONAL DWD RESPONSIBILITIES**

Once a Clinic is confirmed, the Department agrees to:

1. Assign speakers for each of the topic areas requested and confirmed.
2. Pay the transportation, lodging and "en route" meal expenses of the speakers and Clinic Coordinator. ("En route" meals are meals other than those provided at the Clinic itself.)
3. After determining the topic order and other details, design, produce, print and mail, at its cost, Clinic announcement/registration flyers.
4. Upon request, print and provide to the local co-sponsor(s) at the Department's cost, up to 250 copies of the registration flyers for whatever supplemental promotion the local co-sponsor(s) desire(s) to undertake on its (their) own.
5. Provide the Clinic Coordinator who will serve as master of ceremonies and who will be responsible for starting and ending the Clinic on time and for Clinic operations throughout the day.
6. Provide the printed agenda and related handouts to those registered who attend.

***Direct any questions about this Memorandum of Understanding or Labor Law Clinic sponsorship to Yvonne Hagen at the above-mentioned addresses/phone numbers.***

# IDEAS FOR YOUR LABOR LAW CLINIC

Here are some additional ideas to consider when planning your Labor Law Clinic, based on suggestions from planners of other Clinic:

## ● OFFER A DISCOUNT COUPON

Include a discount coupon in the registration packet that people receive when they arrive, with the coupon good for a certain amount (\$5? Another figure?) off the fee for the next Clinic sponsored by the same organization. Have them send the coupon in with their next registration.

## ● PROVIDE AN ATTENDANCE LIST

Include as a handout to those attending a list of names, company affiliations, and cities of those who sign up to attend the Clinic. People tell us they like to know who else is at a Clinic, have a list handy to help "refresh" their memories of names of those they see at the Clinic, etc.

## ● PROMOTE CAR POOLING

Consider asking DWD to add a box to the registration form that people can check if they are coming from out of town and would like to either (a) arrange to ride with someone else from their area, or (b) carry passengers. Then match names and contact them by phone or letter so they can make final arrangements themselves.

## ● TAKE RESERVATIONS BY FAX

Consider asking DWD to include a fax number that people can use to make their reservations, with instructions that they mail payment or a purchase order separately to arrive by a date you set.

## ● LET PEOPLE KNOW IF YOU ALLOW SUBSTITUTES DURING THE DAY

Consider asking DWD to include information in the registration flyer if you allow companies to send different people to different parts of the program, as long as one person leaves when one arrives and only one meal is eaten.

### **Labor Law Clinic Office**

Wisconsin Department of Workforce Development  
Unemployment Insurance Division  
201 E. Washington Ave, E300  
Madison, WI 53707-7905