

THE WISCONSIN WORKER'S COMPENSATION UNINSURED EMPLOYERS FUND

What is the Uninsured Employers Fund?

The Uninsured Employers Fund (UEF) pays worker's compensation benefits on valid worker's compensation claims filed by employees who are injured while working for illegally uninsured Wisconsin employers. When a compensable claim is filed, the UEF pays the injured employee worker's compensation benefits as if the uninsured employer had been insured.

How is the UEF funded?

It is funded through penalties assessed against employers for illegally operating a business without worker's compensation insurance. The penalties are mandatory and non-negotiable. In addition, the department pursues reimbursement from each uninsured employer of benefit payments made by the UEF under section 102.81(1), of the Wisconsin Statutes, to the employee of that uninsured employer or to the employee's dependents. The UEF uses aggressive collection action, including warrants, levies, garnishment and execution against property, to secure satisfaction of penalty assessments and reimbursement of claims paid by the fund.

When was the UEF implemented?

The UEF applies only to injuries occurring on or after July 1, 1996. Uninsured Employers Fund claims filed for injuries occurring prior to July 1, 1996 are not valid and will be denied.

How is a UEF claim form filed?

To file a claim, an injured worker must complete an Uninsured Employers Fund Claim Form and provide the required documentation. In addition, a claimant is expected to provide assistance to the department or its agent, including copies of relevant payroll checks, check stubs, bank records, wage statements, tax returns or other similar documentation in determining whether their employer is liable for the injury. A claimant is also required to document any medical treatment, vocational rehabilitation services and other bills or expenses related to a claim.

Will the department verify the information provided in a UEF claim form?

Yes, the claim will be thoroughly investigated. In verifying information submitted in support of a claim for compensation, the department or its agent may share information related to a claim with other government agencies, including those responsible for tax collection, unemployment insurance, medical assistance, vocational rehabilitation, family support or general relief.

What if an alleged uninsured employer refuses to cooperate with the department?

An employer who is alleged to be uninsured is required to cooperate with the department or its agent in the investigation of a claim. Including providing any records related to payroll, personnel, taxes, ownership of the business or its assets or other documents the department or its agent requests from the employer to determine the employer's liability under section 102.03 of the Wisconsin Statutes. If an employer fails to provide requested information, the department may presume the employer is an uninsured employer and assess the appropriate penalties.

Once a UEF claim form is filed, how long does it take to process the claim?

Within 14 days after receiving a completed UEF claim form, the department or its agent will mail the first indemnity payment to the injured employee, deny the claim or explain to the employee who filed the claim the reason that the claim is still under review. The department or its agent will report to the employee regarding the status of the claim at least once every 30 days from the date of the first notification that the claim is under review until the first indemnity payment is made or the claim is denied.

Who can I contact for more information regarding the UEF?

Answer: Contact the Wisconsin Department of Workforce Development - Worker's Compensation Division, Bureau of Insurance Programs in-person at GEF-1 State Office Building, Room C100, 201 E. Washington Avenue, Madison by mail at P.O. Box 7901, Madison, WI 53707-7901 or by phone at (608) 266-3046. The Division also offers information online at: <http://dwd.wisconsin.gov/wc>

DWD is an equal opportunity employer and service provider. If you have a disability and need assistance with this information, please dial 7-1-1 for Wisconsin Relay Service. Please contact the Worker's Compensation Division at (608) 266-1340 to request information in an alternate format, including translated to another language.