

Unemployment Insurance (UI) Advisory Council Meeting Minutes
August 28, 2012
Kneip Building, Conference Room #3
700 Governors Drive
Pierre, SD

Members Present

Pam Roberts, Chair
Robert Anderson
Tim Fitzgerald
Carol Hinderaker
Don Kattke
Shawn Lyons
David Owen

Members Absent

Paul Aylward

Others Present

Chet Brokaw
Amber Mulder
Lindsey Riter
Deb Mortenson
Bob Mercer
Dawn Dovre
Pauline Heier
Julie Albano
Monica Harding
Sharon Schnabel

Chairwoman Roberts called the meeting to order, and roll call was taken by Julie Albano. A quorum was present.

Robert Anderson MOVED to approve the April 30, 2012, minutes. Shawn Lyons SECONDED. Motion carried.

Pauline Heier gave a presentation, and the Council reviewed the current UI financial status of the State UI Trust Fund and the UI projections for remaining 2012 and projected 2013.

There was discussion regarding the federal law change mandating States to impose a minimum 15 percent penalty assessment on fraudulent claims and the prohibiting of non-charging due to employer fault. Consensus of the Council supports legislation prohibiting the relieving of charges relating to a payment if the payment was made because the employer was at fault for failing to respond timely or adequately to a request for information regarding a UI claim.

The Department of Labor and Regulation recommended to the Council to add a monetary penalty of at least 50 percent of the overpayment on all fraudulent claims. The Council also heard testimony from the public. After further discussion, Shawn Lyons MOVED to impose a 50 percent penalty for the first offense and a 100 percent penalty for subsequent offenses. Don Kattke SECONDED. Motion carried on roll call vote 7-0-1.

Chairwoman Roberts reviewed a draft UI Advisory Council 2012 annual report with the Council. A revision will be drafted, and a conference call will be scheduled to vote for approval.

Shawn Lyons MOVED to adjourn the meeting. Don Kattke SECONDED. Motion carried.