



## LEGAL SERVICES DEPARTMENT

### Office of the City Attorney


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**TO:** Members of the Finance Committee

**FROM:** Christopher R. Behrens, City Attorney 

**DATE:** January 25, 2021

**RE:** Resolution for Reauthorization of Self-Insurance

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In January 1990, the City opted to self-insure its Worker's Compensation exposures pursuant to the requirements of Wisconsin Administrative Code, Section DWD 80.60(3). The City has remained self-insured since that time. However, the requirements of DWD 80.60(3)(b)1. state,

“Any political subdivision or taxing authority of the State electing to self-insure shall notify the Department in writing of the election before undertaking self insurance, every three (3) years after the initial notice, and thirty (30) days before withdrawing from the self-insurance program.”

Therefore, the attached Resolution needs to be approved in order to comply with state law regarding self-insurance for our Worker's Compensation exposures.

Attachment

CRB;jlg  
CityLaw A21-0008

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Christopher R. Behrens  
*City Attorney*

Amanda K. Abshire  
*Deputy City Attorney*

Darrin M. Glad  
*Assistant City Attorney*

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*Assistant City Attorney*

**RESOLUTION**  
***For Reauthorization of Self-Insurance***

WHEREAS, the City of Appleton is a qualified political subdivision of the State of Wisconsin; and

WHEREAS, the Wisconsin Worker's Compensation Act (Act) provides that employers covered by the Act either insure their liability with worker's compensation insurance carriers authorized to do business in Wisconsin, or to be exempted (self-insured) from insuring liabilities with a carrier and thereby assuming the responsibility for its own worker's compensation risk and payment; and

WHEREAS, the State and its political subdivisions may self-insure worker's compensation without a special order from the Department of Workforce Development (Department) if they agree to report faithfully all compensible injuries and agree to comply with the Act and rules of the Department; and

WHEREAS, the Finance Committee at its January 25, 2021 meeting approved the continuation of the self-insured worker's compensation program, in compliance with Wisconsin Administrative Code DWD 80.60(3); and

NOW THEREFORE, BE IT RESOLVED, that the Common Council of the City of Appleton does ordain as follows:

1. Provide for the continuation of the self-insured worker's compensation program that is currently in effect.
2. Authorize the City Clerk to certify, and the Human Resources Director to forward said certified copies of this Resolution to the Worker's Compensation Division, Wisconsin Department of Workforce Development.

Adopted this 3<sup>rd</sup> day of February, 2021.

**CITY OF APPLETON**

By: \_\_\_\_\_  
Jacob A. Woodford, Mayor

Attest: \_\_\_\_\_  
Kami Lynch, City Clerk