

Date: August 23, 1989
To: ALJ's and Correspondents
From: Schott
Re: U.C. Benefits and T.T.D.

When unemployment compensation benefits have been paid there is no offset against 102.35(3). Court cases have interpreted 102.35(3) to mean that this penalty is paid in addition to all other benefits including U.C. benefits.

When an employe has received U.C. and is also eligible for T.T.D., he is eligible for full temporary disability benefits. The insurance carrier is not entitled to reduce benefits for U.C. because it's not wages anymore than group disability is.

The Unemployment Compensation Division may have a claim against the employe for overpayment but we don't order this reimbursement because 102.27(1) bars assignments to creditors.

If it appears at a hearing that T.T.D. is to be paid during a period the employe received U.C. benefits, our job is to send a copy of our decision to the Bureau of Legal Affairs, U.C. Division, P.O. Box 8942, Madison, WI 53708.

That division will take notice of any benefits paid so our orders will not be held up waiting for U.C. information.

Thank you.

cc: Chris Faulhaber, Jr.