Unemployment Insurance in Wisconsin, by Roger Sherman Hoar

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contingent in the concrete. Our dissent has to do with this point and this only.

It is, we believe, an advantage that the reports of the cases are so fully
given. That is of course incidental to the formative idea of this admirable case-
book. We welcome the presentation of the more important damage problems, as
also the development of equitable relief against torts.

THOMAS P. WHELAN

Unemployment Insurance in Wisconsin. By Roger Sherman Hoar,
Published by The Stuart Press, South Milwaukee, Wis., (1932).

This treatise is a timely appraisal and analysis of the Wisconsin Unemploy-
ment Reserve Act signed by Governor La Follette on January 28, 1932 and pub-
lished the following day, as chapter 108 of the Wisconsin Statutes relating to
Unemployment Reserves and Compensation.

Mr. Hoar, the author, is ably qualified to discuss unemployment insurance,
being a member of the Committee on Unemployment Insurance of the Wiscon-
sin Manufacturers' Association, and member of the Legislative committee of
the Milwaukee Association of Commerce. He is also counsel for one of the
largest industrial concerns in this state. However, this connection with employ-
ers' interests makes him rather critical of this new social venture on behalf of

The Act provides for the establishment of unemployment reserves out of
contributions by employers in proportion to their payrolls. From these reserves
unemployment benefits will be paid. The act excludes farm labor, domestic serv-
ice, relief projects, teaching, public officers, salaried public jobs, "part time"
work, railroad work, and logging; and employers of less than ten persons. The
Act is compulsory, unless by June 1, 1933, employers throughout the state, hav-
ing an aggregate total payroll of 175,000 employe's, adopt voluntary plans of un-
employment insurance, otherwise, the compulsory features go into force on
July 1, 1933. The administration of the act is placed into the hands of the in-
dustrial commission.

In this book, Mr. Hoar, first traces the history of unemployment insurance
in Wisconsin. He then presents a series of arguments in opposition to the com-
pulsory features of the act. The act itself is stated in full and analyzed in detail.
Types of voluntary insurance plans are presented. The reports of the Manufactu-
kers' Association and the Legislative Interim Committee on the matter are
also included.

Mr. Hoar's attitude, typical of the group he represents, is in opposition to
compulsion. He feels that employers, if left to themselves, will work out their
own salvation in the matter. This reviewer feels however, that to date, so little
has been done by industry to alleviate employment fluctuations as to warrant
the state's taking a hand. One gathers that Mr. Hoar favors the laissez faire
attitude, that is, that the state should not meddle. However, the tendency of
modern economic history throughout the world is away from this "hands off"
policy because it means degradation and suffering for those who have not the
power to relieve adverse economic conditions. This attitude is well expressed
in the Act itself, in section 108.01 (1), relating to public policy declaration:
"Unemployment in Wisconsin has become an urgent public problem, gravelly
affecting the health, morals, and welfare of the people of this state. The burden
of irregular employment now falls directly and with crushing force on the un-
employed worker and his family, and results also in an excessive drain on agencies for private charity and public relief. * * * In good time and in bad times unemployment is a heavy social cost, now paid mainly by wage earners. Industrial and business units in Wisconsin should pay at least part of this social cost, caused by their own irregular operations. To assure somewhat steadier work and wages to its own employees, a company can reasonably be required to build up a limited reserve for unemployment, and out of this to pay unemployment benefits to its workers, based on their wages and length of service."

This reviewer recommends this little volume to those who would familiarize themselves with the problem of unemployment reserves. Mr. Hoar presents both sides quite squarely as embodied in the Minority and Majority reports of the Interim Committee on Unemployment insurance. Because of the detailed analysis of the Act, the book is of great help to one wishing to study the legal phases of the problem, for Mr. Hoar points out many possible difficulties and ambiguities in the act.

The problem of unemployment insurance is of vital importance. The success of the plan will greatly influence legislation on social and economic problems. The present depression demonstrates that something must be done to raise our industrial system out of its lethargy of social irresponsibility. This reviewer feels that unemployment reserves or insurance are a step in the right direction.

GEORGE J. LAIKIN


This volume of the American Case Book Series after having been in use for fifteen years now comes out in a second edition of 1020 pages of text (as compared with 943 pages in the first edition) and is handsomely dressed in green fabricoid binding. The general arrangement of the material is the same as in the first edition with the exception of one or two shifts. New cases of course have been added either absolutely or by way of substitution and the notes have been expanded but kept within the proper bounds called for in a casebook. The book in other words remains a casebook and is not a textbook in the guise of a casebook.

The writer of this review has used the first edition as a class book for eight years and therefore is fairly well acquainted with its contents. He has not yet had an opportunity to test the new volume in the classroom and has not undergone the laborious task of checking the additions and subtractions which occur in this second edition. The difference between the first and second edition as Mr. Aigler sees it is quite well expressed in the preface as follows: "Real property is not a field in which the law is rapidly changing. As time goes on, however, applicable legal doctrines become more sharply defined and present-day tendencies become discernible. The past fifteen years have not been unproductive in these respects. About fifteen per cent of the cases in this edition are new. In part I, dealing with original titles, considerable change has been made in arrangement, enabling, it is hoped, a more effective presentation of that part of the subject. The material in the chapter on Estates has also been quite radically