



THE LAKELAND TIMES



SUMMER VOLLEYBALL

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Staffing still a challenge despite state's low unemployment rate

Local business owners frustrated with 'ghost interviews'

By Trevor Greene
OF THE LAKELAND TIMES

Wisconsin's unemployment rate hit an astounding 14.1% in April of 2020, according to the U.S. Bureau of Labor Statistics.

The last time it was close to that number was in February of 1983 when it reached 12.8%.

Since reaching historic highs, the unemployment rate in the state has dropped significantly, according to the Bureau, with its most recent rate recorded at 2.9% in May.

As of July 9, 23,400 state unemployment insurance claims were reported by the Bureau, an increase from June 4 when the number of claims stood at 18,400 but still significantly lower than

May of 2020 when the number of claims reached a peak of 351,000.

While the numbers reported by the Bureau are encouraging, it doesn't seem to reflect the reality of some Northwoods businesses.

According to Bob Rynders, his Minocqua-based Rynders Excavating and Landscaping is short-staffed, and trouble finding help

continues to be a problem.

Some positions, he said, have been vacant for about a year now, and conducting interviews with applicants is done on a monthly basis, though they are scheduled more frequently.

"Here's what's going on is you get a couple applications weekly — two, three — and then you ask 'em to come

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GAS WATCH



Nat. Average:	\$4.46
WI Average:	\$4.19
Green Bay:	\$3.76
Janesville:	\$3.78
Madison:	\$3.79
Minocqua:	\$4.14
Portage:	\$3.89
Waukesha:	\$3.99
Wausau:	\$4.11

Latest prices reported for one gallon of unleaded gasoline according to local observations and GasBuddy.com as of 4 p.m., Wednesday, July 20, 2022.



TREVOR GREENE/LAKELAND TIMES

HISS!

Amber Flatley snaps a picture of her 12-year-old daughter Braylee as she bravely holds a Madagascar hissing cockroach while her eight-year-old brother Beckham looks on during the 53rd Annual Gem & Mineral Show on Friday, July 15, at Lakeland Union High School in Minocqua.

Woman alleging sexual assault obtains 10-year order of protection

Oneida County district attorney declined to prosecute alleged attacker

By Richard Moore
OF THE LAKELAND TIMES

A Wisconsin woman who says she was sexually assaulted by a man at the 2021 Hodag Country Festival in Rhinelander has successfully obtained an uncom-

mon 10-year order of protection against the alleged attacker — the maximum amount of time that such an injunction can last, by statute.

The office of Oneida County district attorney

Michael Schiek did not bring charges in the case.

The injunction is an order of the court barring harassment of the woman for a decade. Under the statute,

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Minocqua town board OKs improvements for Minocqua Winter Park

Music venue request for the park reviewed

By Trevor Greene
OF THE LAKELAND TIMES

Minocqua Winter Park is to undergo improvements for better snow storage intended to provide better parking.

Minocqua director of public works Mark Pertile told the town board at its meeting Tuesday he's been working with the park's foundation and suggested bringing in a work crew from the McNaughton Correctional Center to help eliminate trees alongside the entrance road.

"We've widened the road a little bit, but you know, when we get large snowfalls, having that snow storage where we can get it off far enough so we can have parking alongside the road coming into the parking and also the back of the parking lot," Pertile said. "When you start having snow coming in from the back we have some trees there that are preventing us from pushing the snow further in than we need to."

He said trees behind the tubing hill will be looked at as well.

"I would say do it," town supervisor John Thompson said. "It's a world-class facility."

Town supervisor Brian Fricke agreed and said he was glad the idea was brought to the

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to interview with you and they don't show up," Rynders said. "Basically, I feel they're stringing everybody out and collecting unemployment as long as they possibly can."

Molly Rynders, Bob's wife, works in the company's office by herself most days — not by choice — and said the company has started to take steps with Wisconsin's Department of Workforce Development by filing complaints.

"It's so ridiculous when you have an interview with somebody, and they're not working, and you say 'Call me and we'll discuss your start date' and they never call you back," she said. "Or calling the guys off of job sites to accommodate people who want to have an interview in the afternoon and then no one shows up."

Two applicants were hired by Rynders, she added, but didn't show up to start. Also, there have been three no-show interviews, as well as about 20 other applications received where an interview was offered but the company never received a response.

Similar situation

Rob Swearingen, the area's representative in the State Assembly's 34th district, is facing similar issues with his Rhinelander business, The Al-Gen Dinner Club.

Like Rynders, Swearingen said applicants will schedule an interview with members of his staff or with him and then fail to show.

"And if you're fortunate enough to get them to show up for at least the interview ... by the

time you hire them verbally, they may not even show up for their first shift," he said.

According to Swearingen, Al-Gen has been encountering staffing issues over the past three to four years.

"It was bad before the pandemic, but it has magnified even since the pandemic," he said. "I attribute that to the amount of money that the government has given some of these people."

Many of those who are unemployed, Swearingen believes, are taking advantage of the state's unemployment program.

Advertisements, he said, have been placed in *The Lakeland Times* and *The Northwoods River News* to regain staff lost due to the pandemic. Initially, the business would receive interested applicants, but now, Swearingen said the response has slowed.

When the response was strong, though, he said there would be three to four interviews per week. Of those interviews, one might have shown up "but right now, nobody even shows up."

"I would say all businesses (in the Assembly's 34th district) are suffering from the same issues that I am," Swearingen said. "And it's pretty simple to look, because everyone of them has a help wanted sign in the window."

Vetoed

Commonly dubbed as "ghost interviews," Swearingen noted there was a bill introduced in the state legislature this past year, which he voted to approve, in an attempt to combat the issue.

Eventually, however, it died when the package

"... you ask 'em to come to interview with you and they don't show up."

Bob Rynders

of bills it was part of was vetoed by Gov. Tony Evers.

Assembly Bill (AB) 939, which was one of 10 included in the package, was aimed to prohibit "ghosting employers, missing interviews or not responding to interview requests." If individuals were found to have violated those prohibitions, they would have lost their weekly benefits twice a month.

Additionally, two other bills included in the vetoed package worth noting are AB 937 and 938.

AB 937, if signed into law, was to fix "the problem of prolonged unemployed benefits that are keeping people out of the workforce by indexing the number of eligibility weeks to the state unemployment rate."

AB 938 would have required the Department of Workforce Development to audit 50% of work searches, legislative oversight of any future enhanced federal benefits and a legislative audit on unemployment's effort to limit fraud.

In a formal message addressed to members of the Assembly on April 15, Evers said why he prevented AB 939.

Essentially, Evers explained how the bill would have added extensive and unnecessary workload for the Department of Workforce Development.

"The bill also adds duplicative requirements,

which are largely already provided for under current law," he said.

Evers then elaborated, saying during the pandemic, Wisconsin citizens relied on unemployment "to make ends meet." And now, he said, people have returned to work, further noting the state's low unemployment rate.

"I am vetoing this bill in its entirety because I object to adding more barriers for individuals applying for and receiving economic assistance through programs largely designed to provide support when individuals and families are experiencing economic hardship," he said.

"Moreover, state law already has protections in place to prevent the types of fraudulent activity this bill purports to prevent."

One last thing Evers mentioned was his belief the Legislature may not have been fully informed with regard to measures already in place under the state's unemployment program.

"The Legislature might well have been informed about these existing requirements had this legislation been developed through the Unemployment Insurance Advisory Council's agreed upon bill process or in consultation with the Council and the Department."

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Park

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board ahead of time unlike certain instances in the past.

The next steps, Pertile said, will be to work with the foundation and McNaughton Correctional Center to mark and line the tree areas.

"Given the amount of trees, we just wanted to bring it to the board's light to make sure that they were OK with that before proceeding," he said.

Staffing for the hill and improvements

Pertile also told the town board there are staffing needs for the park's tubing hill in its busiest time of the year, which is the Christmas and New Year holiday season.

The park's foundation, he said, is a non-profit but the idea for the town to provide some additional pay to help compensate or hire staff is "food for thought."

Pertile also mentioned the potential of future improvements to the hill itself. He said the town could maybe help the foundation in doing so, given it has the necessary equipment.

Improvements would help widen the landing area to prevent potential pile-ups of tubers.

Foundation member John Hollander said the

"I would say do it. It's a world-class facility."

John Thompson

Minocqua town supervisor

park fully intends to have tubing available this winter.

"This is the first year that I've been back on the (foundation) board in three years," he said. "The hill got modified in my absence and I kind of need to see how it actually works to see how best we can modify it to make it work better."

New pavilion and fall music venue request

"Every fall, we started a number of years ago to do hayrides in the fall as a way to get people that weren't familiar with Winter Park to get them out there," Hollander said. "And every year it seems to do better. This year we're gonna attempt, or we'd like to do a music venue in coordination with the fall festival."

The foundation has been brainstorming different fundraisers and events, he said, and a music event always seems to be a resurfacing idea.

Hollander explained how Winter Park has a "natural stadium venue," and if there would be a stage, natural seating is provided among the slopes with the backdrop being Squirrel Hill.

He added his belief the projected sound would be limited due to the location but this fall would be a test run.

For a stage, Hollander said, whatever is constructed this year would be temporary, and if an event is successful, a more complex stage could be constructed.

Town chairman Mark Hartzheim asked if it would be a multi-day event, Hollander replied it would most likely be the first or second weekend in October while the fall colors are in full bloom.

"That's like the perfect spot," Thompson said.

Fricke said Winter Park seems to be a smaller version of Alpine Valley in southern Wisconsin.

Pertile said he reviewed the site with the foundation and also thought the idea was great, his recommendation to the town board giving the foundation approval to build a stage.

If a stage were to be built, Fricke said he would like to see plans before voting to approve it.

The board agreed to approve the concept of a stage with a request to see its plans before construction. If there would be additional plans for a larger, more complex one in the future, then the board would need to approve that as well.

"Before you pound nails for the stage, just present what your plan is just subject to final approval to the town," Hartzheim said. "I don't think there will be any issues but it just gives us a chance to (look it over)."

Trevor Greene may be reached via email at trevorgreene@lakelandtimes.com.

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What employers can do, according to the Department of Workforce Development

In an email to the *Times*, the director of communications with the Department of Workforce Development, Jennifer Sereno, explained how employers can report “ghost interviews” or the failure of those to report to start a job at UIJobRefusal@dwd.wisconsin.gov.

Information she said an employer should include: the claimant’s name and social security number, the type of

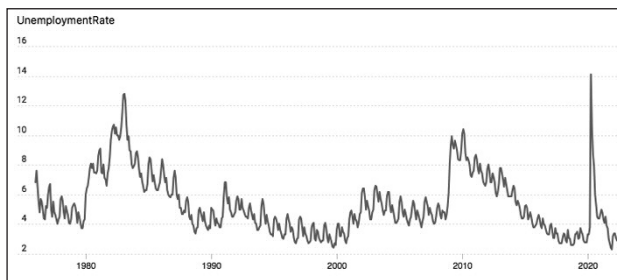
work offered, the rate of pay and hours the job included, the date on which the refusal occurred, the date on which the claimant could have begun work and the reason the claimant gave, if any, for refusing the offered work.

“If it is determined that a claimant refused a bona fide offer of suitable work from (an employer) without good cause and the wages, hours and other conditions of the job were substantially less favorable than those prevailing for similar work in the locality, benefits will be denied,” Sereno said. “If benefits have been

received, then they will (be) considered overpaid and require repayment.”

She added that random audits are conducted by the state’s unemployment insurance division, and if a claimant listed an employer they “ghosted” then weekly benefits would potentially be denied if there is not “another work search action to replace it.”

Besides addressing businesses being ghosted, Sereno also noted that currently approximately 0.7% of the state covered workforce is applying for benefits, which is approximately 25-30% of



CONTRIBUTED GRAPHIC

Wisconsin’s seasonally unadjusted unemployment rate from January of 1976 to May of 2022. Data source Bureau of Labor Statistics.

the overall number of unemployed workers in Wisconsin.

“The majority of those who are unemployed in Wisconsin are not applying for or receiving (unemployment) benefits,” she said.

Sereno also mentioned Wisconsin’s near record low unemployment rate, describing the competition among employers as “fierce.”

She then highlighted Gov. Tony Ever’s efforts to address the state’s workforce needs by approving an investment of \$150 million with funds provided by the American Rescue Plan Act to do so.

“The groundbreaking investment builds on Wisconsin’s leadership in workforce development and advances the state’s economic com-

petitiveness,” Sereno said. “(The investment) is delivering regional solutions to address the labor force challenges and workforce constraints exacerbated by the pandemic so that Wisconsin’s economy can continue to grow post-pandemic.”

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Protection

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harassment means striking, shoving, kicking or otherwise subjecting another person to physical contact, including abuse, felony sexual assault, and stalking. Such orders of protection are generally limited by statute to a maximum of four years and are ordered only when a judge or circuit court commissioner finds reasonable grounds to believe that the respondent has engaged in harassment with intent to harass or intimidate the petitioner.

However, there is one instance in which the length of the injunction can be imposed for up to 10 years, as in this case: According to the statute, a judge or circuit court commissioner may impose that length of time if the court finds, “by a preponderance of the evidence stated on the record,” that there is a substantial risk that the respondent may commit 1st-degree intentional or 2nd-degree intentional homicide, or commit sexual assault against the petitioner.

An injunction is issued only after a full court hearing where the petitioner and respondent both get a chance to tell their sides of the story. In this case, the alleged offender’s lawyer appeared in court. In the order, the court commissioner ordered the alleged attacker to avoid contact that harasses or intimidates the petitioner, including contact at home, work, school, and public places.

Even so, and despite corroborating witness accounts attesting to the woman’s mental state as she fled the camper where she says the attack occurred, despite the man’s arrest, despite a rape kit showing physical injury, and despite established medical

conditions that made even consensual sexual intercourse painful for the woman, the Oneida County district attorney’s office declined to prosecute the case after the Oneida County sheriff’s department referred the matter for review.

The alleged attacker contended the sexual contact was consensual.

The injunction, filed in court on June 7, 2022, is in effect until June 6, 2032. The *Times* reached out to district attorney Michael Schiek for comment but received no response.

The timeline and the accounts

The alleged assault took place on July 8, 2021, in the overflow camping area of the Hodag Country Festival. The *Times* emphasizes that the alleged assault did not occur at this year’s Hodag Festival but at last year’s 2021 festival.

The woman did not call the sheriff’s department to report an assault until the following morning.

According to the July 9, 2021, sheriff’s department’s report of their investigation that day, the events of July 8 started when several female friends, including the woman, began having camper problems, specifically a power outage, and asked neighboring campers, of which the alleged assailant was one, for help. That was about 10:30 in the morning, the woman told the officer, and they had a drink with their neighbors before the neighbors fixed the problem.

After that and throughout the afternoon, the report states, they all played games and drank alcohol.

“[The woman] stated that at one point, a subject by the name of [redacted] was not feeling well and was in the camper lying on the couch,” the police re-

port states. “[The woman] stated she went into the camper to see if she could help [redacted].”

In an August 18, 2021, statement to county officials, the woman elaborated on what happened when she entered the camper. She asked the man who was sick if he was okay, and the man said he would be fine, a short interaction of 5-8 seconds.

“I was about to turn around and head back out of the camper when I felt an aggressive/physical push in my torso/back,” the woman wrote. “That was the last thing I remembered because whatever [the alleged attacker] forced upon me made me black out.”

When she came to, the woman wrote, she was laying on her back naked from her waist down on top of the bedding in a bedroom with the door closed.

“[The alleged attacker] was on top of me trying [to penetrate me],” she wrote. “I repeatedly told him to ‘stop,’ ‘no,’ and that ‘I needed to find my friends,’ but he ignored my request. I began trying to roll off the bed as I was coming more into awareness and he kept pulling me back and trying to spread my legs apart.”

As she continued to resist and try to roll away, the woman wrote, the alleged attacker kept attempting to have intercourse and would not give up. Ultimately, he became frustrated and stood up, and she was able to roll off to the side of the bed and find her clothes. The man was still naked and sexually aroused, she wrote.

“I quickly dressed myself, put on my shoes and ran out of the bedroom and camper at high speed,” she wrote. “I was crying uncontrollably as I was running back to our campsite to find

my friends. Once I reached the back of our camper I tripped and fell face first into the sod. There I laid crying as my friends helped me up to get back into our camper.”

On July 9, 2021, during the police visit to the campsites, the alleged assailant had a different story. In his version, he and his friends were partying with the neighboring campers, and he started messing around with the woman.

“[The alleged attacker] stated [the

woman] came into the camper with him voluntarily and went into the back bedroom,” the police report stated. “[The alleged attacker] stated [the woman] helped [the alleged attacker] take off [the woman’s] shorts and underwear. [The alleged attacker] admitted to attempting to have sex with [the woman], but could not [achieve intercourse].”

The officer noted that the alleged attacker changed his story at least once — first saying he had been kissing the

woman outside the camper in front of other people, but then changing it to say that, after a drinking game, “people just hugged each other.”

The alleged attacker also told police that he recalled the woman stating that “it hurt” when he attempted intercourse, but that she never said “no,” or “stop,” or “let me out.”

After speaking with the woman and the alleged assailant, and taking other witness statements, sheriff’s of-

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