

Fiscal Estimate Narratives

WTCS 4/5/2006

LRB Number	05-4773/1	Introduction Number	AB-1147	Estimate Type	Original
Description Permitting the Board of Regents of the University of Wisconsin System, the Technical College System Board, or a technical college district board to refuse to employ or to terminate from employment an unpardoned felon					

Assumptions Used in Arriving at Fiscal Estimate

AB 1147 specifies that it is not employment discrimination for the Wisconsin Technical College System Board or local district boards to refuse to hire or fire convicted and unpardoned felons, regardless of whether the felony substantially relates to the circumstances of a particular job. Because AB 1147 does not require that a felony be substantially related to the circumstances of a particular job, it expands existing authority for the WTCS State Board and local WTCS boards to hire or terminate employment based on felony convictions that are related specifically to employment.

Local technical colleges are responsible for determining whether to conduct a criminal background check on current employees or new potential hires. As such, the estimated cost of AB 1147 is indeterminate because it would be affected by local decisions.

As of June 30, 2005, 8,032 full-time and 11,590 part-time employees were reported on local college payrolls. Of these 19,622 employees, 6,274 were new employees hired between June 30, 2004 and June 30, 2005; 94.7% of new employees hired during 2004-05 were part-time employees, which includes part-time instructors who may be hired to teach a single class. The WTCS State Board has authorization for an additional 69 positions that also could be subject to criminal background checks and subject to the provisions of AB 1147.

The costs of a background check vary dramatically depending on the extent of the check. Because there is no common reporting location for felony convictions and the data systems used to record convictions also vary, a background check might require separate searches of county, statewide and federal databases for a single employee. A web-review suggests costs ranging from \$12.95 to over \$50 per employee or potential employee checked, although technical colleges might be able to negotiate a more reasonable fee based on the number of checks and the specific type of background check conducted. Some human resources staffing with experience seeking background checks suggest \$20 per check as a reasonable estimate. More detailed reviews, such as those that might be required for staff in particularly sensitive positions like police services, can routinely cost \$100 per check.

The costs associated with AB 1147 for technical colleges also would be affected by the frequency of the background checks. Since background checks only reflect a criminal record at a particular point in time, some colleges might choose to do periodic checks of employees. The more frequently checks are completed, the more cost incurred by technical colleges.

Another factor that might affect the costs of background checks for WTCS colleges is the extent to which a college's authority to conduct the searches is a subject of collective bargaining provisions that govern full-time faculty at all 16 colleges plus part-time faculty at three colleges and school-related and paraprofessional staff at 15 colleges. If the bargaining agreements limit the frequency of checks, the type of check completed, or the types of positions on which background checks are conducted, it could limit the costs to colleges.

Long-Range Fiscal Implications