

Fiscal Estimate - 2009 Session

Original Updated Corrected Supplemental

LRB Number 09-2145/2	Introduction Number SB-108	
Description Mandatory overtime hours and on-call time worked by health care workers and providing penalties		
Fiscal Effect		
State:		
<input type="checkbox"/> No State Fiscal Effect		
<input type="checkbox"/> Indeterminate		
<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Increase Existing Revenues	
<input type="checkbox"/> Decrease Existing Appropriations	<input type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Create New Appropriations	<input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget	
	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
	<input type="checkbox"/> Decrease Costs	
Local:		
<input type="checkbox"/> No Local Government Costs		
<input checked="" type="checkbox"/> Indeterminate		
1. <input checked="" type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
5. Types of Local Government Units Affected		
<input checked="" type="checkbox"/> Towns	<input type="checkbox"/> Village <input type="checkbox"/> Cities	
<input checked="" type="checkbox"/> Counties	<input type="checkbox"/> Others	
<input type="checkbox"/> School Districts	<input type="checkbox"/> WTCS Districts	
Fund Sources Affected Affected Ch. 20 Appropriations		
<input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.445(1)(a)		
Agency/Prepared By DWD/ Robert Anderson (608) 266-3345	Authorized Signature Jessica Erickson (608) 266-2284	Date 3/23/2009

Fiscal Estimate Narratives

DWD 3/23/2009

LRB Number	09-2145/2	Introduction Number	SB-108	Estimate Type	Original
Description Mandatory overtime hours and on-call time worked by health care workers and providing penalties					

Assumptions Used in Arriving at Fiscal Estimate

State Costs for enforcing the law:

The department anticipates receiving approximately 140 complaints per year alleging health care personnel have been retaliated against for refusing to work mandatory overtime. This number is based on the number of labor standards and health care worker retaliation cases received in State Fiscal Year 2007.

Retaliation complaints will be investigated by an Equal Rights Officer. Since a fully trained Equal Rights Officer is expected to investigate 144 complaints per year, at least one additional Equal Rights Officer will be needed in order to keep current with case loads, at an annual cost of \$78,100 in salary, fringes benefits and supplies/services.

Approximately one quarter of the 140 complaints will require the department to hold a hearing. A department administrative law judge who holds hearings has the capacity to complete approximately 132 cases each year. The department therefore believes it can not absorb the increased workload at the hearing level and will need an additional 1/2 time administrative law judge position at an annualized cost of \$69,300 for salary, fringes and supplies/service costs.

The department will incur one-time costs of \$2,000 to develop, print and distribute posters this bill would require health care institutions to post.

Local Government costs:

Some local governments may have to hire additional staff at their health care facilities to avoid mandatory overtime, which may be more expensive than paying existing employees overtime premium pay, but the actual additional costs are unknown. In addition local governments will have expenses related to any cases that employees file regarding mandatory overtime disputes.

Long-Range Fiscal Implications

The department anticipates the 140 complaints per year will continue for the foreseeable future. The question of what constitutes "unforeseeable emergencies" will continue to lead to employee-employer disputes resulting in complaints.

Fiscal Estimate Worksheet - 2009 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

LRB Number 09-2145/2		Introduction Number SB-108	
Description Mandatory overtime hours and on-call time worked by health care workers and providing penalties			
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
The department will incur one-time costs of \$2,000 to develop, print and distribute posters this bill would require health care institutions to post.			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes	\$118,700		\$
(FTE Position Changes)	(1.5 FTE)		
State Operations - Other Costs	28,725		
Local Assistance			
Aids to Individuals or Organizations			
TOTAL State Costs by Category	\$147,425		\$
B. State Costs by Source of Funds			
GPR	147,425		
FED			
PRO/PRS			
SEG/SEG-S			
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)			
	Increased Rev	Decreased Rev	
GPR Taxes	\$		\$
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
TOTAL State Revenues	\$		\$
NET ANNUALIZED FISCAL IMPACT			
	State	Local	
NET CHANGE IN COSTS	\$147,425		\$
NET CHANGE IN REVENUE	\$		\$
Agency/Prepared By		Authorized Signature	Date
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