

Fiscal Estimate - 2015 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 15-1256/1	Introduction Number AB-0108
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Description
 Requiring a local governmental unit to create a civil service system with a just cause standard of discipline for its employees

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
 - Increase Existing Revenues
 - Decrease Existing Revenues
 - Increase Costs - May be possible to absorb within agency's budget
 - Yes No
 - Decrease Costs

Local:

- No Local Government Costs
- Indeterminate
 - 1. Increase Costs
 - 2. Decrease Costs
 - 3. Increase Revenue
 - 4. Decrease Revenue
 - 5. Types of Local Government Units Affected
 - Towns Village Cities
 - Counties Others
 - School Districts WTCS Districts

Fund Sources Affected **Affected Ch. 20 Appropriations**

GPR
 FED
 PRO
 PRS
 SEG
 SEGS

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Fiscal Estimate Narratives

OSER 4/9/2015

LRB Number	15-1256/1	Introduction Number	AB-0108	Estimate Type	Original
Description Requiring a local governmental unit to create a civil service system with a just cause standard of discipline for its employees					

Assumptions Used in Arriving at Fiscal Estimate

Under this bill, local governmental units (cities, villages, towns, counties, school districts, and sewerage districts), excepting sewerage commissions established by first class cities, must establish a civil service system by January 1, 2017.

Systems established under this bill must provide that an employee with permanent status in class may be removed, suspended without pay, discharged, reduced in base pay, demoted, or have a contract non-renewed only for just cause.

The bill also requires systems established under this bill to include a grievance procedure that provides for a hearing before an impartial hearing officer mutually agreed to by the parties.

A 'just cause' standard for personnel actions enumerated above often times is considered to be met when the employer: 1) can illustrate proper notice of potential consequences of unacceptable employee conduct; 2) can relate such conduct rules or work orders to the legitimate operation of the employer's business; 3) has properly investigated the alleged rule or work order violation forming the basis of the discipline; 4) has done so in a fair and objective manner; 5) has established evidence or proof that the employee is guilty as charged; 6) has applied the discipline evenhandedly and without discrimination, and; 7) in deciding the disciplinary action, has considered both the seriousness of the offense and the employee's service record with the employer.

The Office of State Employment Relations has no way to ascertain how many of the State's local governmental units already have procedures in place that allow their disciplinary or non-renewal decisions to be reviewed under a "just cause" standard.

Similarly, while it can be assumed that the modification of existing procedures to incorporate a just cause standard will increase local governmental units' workloads, the Office of State Employment Relations has no way to determine either the associated developmental costs or any continuing costs going forward.

For these reasons, any increased costs related to adoption of this bill's provisions are indeterminate.

Long-Range Fiscal Implications