

### Fiscal Estimate - 2015 Session

Original     
  Updated     
  Corrected     
  Supplemental

<b>LRB Number</b> <b>15-3041/1</b>	<b>Introduction Number</b> <b>AB-0570</b>
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**Description**  
 Authorizing the circuit court to order a person who engages in discrimination in employment, unfair honesty testing, or unfair genetic testing to pay compensatory and punitive damages

**Fiscal Effect**

**State:**

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

**Local:**

No Local Government Costs  
 Indeterminate

1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<b>5. Types of Local Government Units Affected</b> <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts
2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	

<b>Fund Sources Affected</b>	<b>Affected Ch. 20 Appropriations</b>
<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)	

<b>Agency/Prepared By</b>	<b>Authorized Signature</b>	<b>Date</b>
DWD/ Joe Dvorak (608) 267-6969	Georgia Maxwell (608) 266-2284	1/29/2016

## Fiscal Estimate Narratives

DWD 1/29/2016

LRB Number	15-3041/1	Introduction Number	AB-0570	Estimate Type	Original
<b>Description</b> Authorizing the circuit court to order a person who engages in discrimination in employment, unfair honesty testing, or unfair genetic testing to pay compensatory and punitive damages					

### Assumptions Used in Arriving at Fiscal Estimate

Current fair employment law states that a person who alleges discrimination in employment, or unfair genetic or honesty testing, may file a complaint with the Wisconsin Department of Workforce Development and seek actions to effectuate fair employment law. These actions include employee reinstatement, the provision of back pay, and the payment costs and attorney fees. This law does not allow DWD to award compensatory or punitive damages to the individual complainant.

Assembly Bill 570 permits DWD, and individuals alleging or found to have been discriminated against, to bring a circuit court action forward to receive punitive or compensative damages to augment back pay or amounts awarded in prior administrative proceedings. AB 570 exempts local governments and employers with less than 15 employees from facing circuit court actions for these types of damages. Under the bill, if the court finds discrimination or unfair honesty or genetic testing occurred, the court must order the defendant to pay that individual damages amounting to those deemed appropriate by the court. The bill also lays out limitations to damages based on the number of employees employed by the defendant. Finally, DWD is required under AB 570 to revise these amounts upward annually in response to positive changes to the consumer price index in the previous.

It is projected that this bill would have no significant ongoing fiscal effect on the Wisconsin Department of Workforce Development. DWD could absorb complaints arising from the changes without hiring added Equal Rights officers to investigate them. Additionally, DWD would be able to absorb the rule promulgation requirement within existing staffing levels. A one-time cost of \$5,000 is needed however to reprint existing discrimination documentation.

### Long-Range Fiscal Implications

## Fiscal Estimate Worksheet - 2015 Session

Detailed Estimate of Annual Fiscal Effect

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<b>Description</b> Authorizing the circuit court to order a person who engages in discrimination in employment, unfair honesty testing, or unfair genetic testing to pay compensatory and punitive damages		
<b>I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):</b>  A one-time cost of \$5,000 is needed to reprint existing discrimination documentation.		
<b>II. Annualized Costs:</b>		<b>Annualized Fiscal Impact on funds from:</b>
		Increased Costs      Decreased Costs
<b>A. State Costs by Category</b>		
State Operations - Salaries and Fringes	\$	\$
(FTE Position Changes)		
State Operations - Other Costs		
Local Assistance		
Aids to Individuals or Organizations		
<b>TOTAL State Costs by Category</b>	<b>\$</b>	<b>\$</b>
<b>B. State Costs by Source of Funds</b>		
GPR		
FED		
PRO/PRS		
SEG/SEG-S		
<b>III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>		
	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
<b>TOTAL State Revenues</b>	<b>\$</b>	<b>\$</b>
<b>NET ANNUALIZED FISCAL IMPACT</b>		
	<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS	\$	\$
NET CHANGE IN REVENUE	\$	\$
<b>Agency/Prepared By</b> <b>Authorized Signature</b> <b>Date</b>		
DWD/ Joe Dvorak (608) 267-6969	Georgia Maxwell (608) 266-2284	1/29/2016