

Fiscal Estimate - 2015 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 15-4513/1	Introduction Number AB-0925
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Description Authorizing the circuit court to order a person who engages in discrimination in employment on the basis of military service to pay compensatory and punitive damages

Fiscal Effect State: <input checked="" type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations </div> <div style="width: 30%;"> <input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues </div> <div style="width: 30%;"> <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <div style="display: flex; justify-content: space-around; font-size: small;"> <input type="checkbox"/> Yes <input type="checkbox"/> No </div> <input type="checkbox"/> Decrease Costs </div> </div> Local: <input type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> 1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 30%;"> 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory </div> <div style="width: 30%;"> 5. Types of Local Government Units Affected <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 </div> </div>
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Fund Sources Affected <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)	Affected Ch. 20 Appropriations
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Agency/Prepared By DWD/ Joe Dvorak (608) 267-6969	Authorized Signature Georgia Maxwell (608) 266-2284	Date 3/17/2016
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Fiscal Estimate Narratives

DWD 3/17/2016

LRB Number	15-4513/1	Introduction Number	AB-0925	Estimate Type	Original
Description Authorizing the circuit court to order a person who engages in discrimination in employment on the basis of military service to pay compensatory and punitive damages					

Assumptions Used in Arriving at Fiscal Estimate

Current law states that a person alleging employment discrimination on the basis of military service may file a complaint with the Department of Workforce Development and seek action which effectuates the purpose of discrimination law. This includes reinstating the individual complainant, providing back pay, and paying attorney fees and court cost. Under current law, DWD is not authorized to award punitive or compensatory damages.

Assembly Bill 925 would allow DWD, or an individual who has been discriminated against on a military service basis to bring an action in circuit court for the purpose of recovering compensatory or punitive damages, and reasonable costs and attorney's fees incurred during the action and after administrative proceedings at DWD and the Labor and Industry Review Commission. AB 925 does not permit actions for damages to be brought against any local government unit or employer employing less than 15 individuals. Under the bill, if a circuit court finds that discrimination has occurred, the court must order damages in an amount the court finds appropriate but subject to limitations based on the number of employees employed at the employer.

Administratively, AB 925 would have no impact on existing procedures and processes with respect to handling discrimination complaints. Because individuals would seek damages independent of DWD involvement, there is no fiscal effect on the agency.

Long-Range Fiscal Implications