

Fiscal Estimate - 2019 Session

Original Updated Corrected Supplemental

LRB Number **19-0856/1** Introduction Number **AB-0005**

Description
classifying county jailers as protective occupation participants under the Wisconsin Retirement System and the treatment of county jailers under the Municipal Employment Relations Act

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. Increase Costs 3. Increase Revenue 5. Types of Local Government Units Affected

Permissive Mandatory Permissive Mandatory Towns Village Cities

2. Decrease Costs 4. Decrease Revenue Counties Others

Permissive Mandatory Permissive Mandatory School Districts WTCS Districts

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

GPR FED PRO PRS SEG SEGS 20.515(1)(w)

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Fiscal Estimate Narratives

ETF 2/14/2019

LRB Number	19-0856/1	Introduction Number	AB-0005	Estimate Type	Original
Description					
classifying county jailers as protective occupation participants under the Wisconsin Retirement System and the treatment of county jailers under the Municipal Employment Relations Act					

Assumptions Used in Arriving at Fiscal Estimate

This bill makes a number of changes to the county jailer classification under the Wisconsin Retirement System, including:

- Allows counties to classify county jailers as protective occupation participants under the Wisconsin Retirement System without a requirement that their principal duties involve active law enforcement.
- Provides that county jailers who are employed by a county that did not classify county jailers as protective occupation participants on July 1, 2018 and become protective occupation participants under this bill, are required to pay all employer costs resulting from their classification as a protective occupation participant, including the cost of the duty disability program.
- Provides that county jailers who were classified as protective occupation participants before the bill's effective date and county jailers hired on or after the bill's effective date in counties that classified county jailers as protective occupation participants on July 1, 2018 are not required to pay the additional employer costs.
- Permits a county jailer to elect (irrevocable) at the time of hire not to become a protective occupation participant.

ETF anticipates that there will be one-time administrative costs associated with this bill. The bill requires that ETF account for both employee and employer WRS and duty disability contributions in a different way.

ETF systems will need to be modified to include a new field to reflect this legislation. Additionally, proper retirement and disability processes need to be developed and applied to ensure accurate employee data. It is estimated that staff training, publication and forms revisions, compliance, financial reporting and other administrative functions will cost approximately \$61,200. The information technology systems changes are estimated to cost \$184,600.

ETF should be able to absorb the on-going administrative costs if funding is provided for the aforementioned one-time IT system and administrative costs.

The costs to local governments are indeterminate. Counties will need to keep track of which employees opt-out and other record keeping tasks to ensure accurate employee data and reporting.

Under the proposed legislation, the estimated costs associated with WRS protective category employment are shifted from the employers to employees who choose to be classified as a protective occupation participant under this bill. There are two main costs associated with the protective occupation category: WRS contribution rates and duty disability rates. Under current law, the protective occupation participant pays the same contribution rate as general participants unless the employer agrees to pick it up under a collective bargaining agreement and the employer pays the rest of the contribution rate. For 2019, the employer will pay 10.55% of payroll and the employee will pay 6.55% (assuming there is no collective bargaining agreement in place) for employees who are classified by the employer as Protective Occupation Employees with Social Security.

The bill would essentially require county jailers who are employed by a county that did not classify county jailers as protective occupation participants on July 1, 2018 and become protective occupation participants under this bill to pay the employer share, as well as the duty disability rates, which is currently entirely an employer cost. If this bill were in effect for 2019, on average, county jailers who do not opt out of the protective class under the bill would need to pay 12.42% (10.55% of salary for the WRS contribution and a 1.87% of salary for duty disability coverage) of their salary instead of the WRS employee rate of 6.55%.

Furthermore, WRS and duty disability rates vary each year based on investment performance and demographic changes. In addition, the duty disability rates are affected by claim experience – the employees who opt to remain in the protective occupation classification would be subject to the volatility in both the WRS and duty disability rate. 2019 duty disability rates range from 0.17% of payroll to 4.42% of payroll based on claims experience.

This fiscal estimate only addresses ETF's administrative costs associated with this bill. An estimate of the financial effect on the WRS Public Employee Trust Fund and its benefits such as the Duty Disability Program needs to be provided by the Joint

Survey Committee on Retirement Systems. An actuarial analysis is recommended.

Long-Range Fiscal Implications

Wisconsin Department of Administration
 Division of Executive Budget and Finance

Fiscal Estimate Worksheet - 2019 Session

Detailed Estimate of Annual Fiscal Effect

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Description classifying county jailers as protective occupation participants under the Wisconsin Retirement System and the treatment of county jailers under the Municipal Employment Relations Act		
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): 245,800		
II. Annualized Costs:	Annualized Fiscal Impact on funds from:	
	Increased Costs Decreased Costs	
A. State Costs by Category		
State Operations - Salaries and Fringes	\$	\$
(FTE Position Changes)		
State Operations - Other Costs		
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	\$	\$
B. State Costs by Source of Funds		
GPR		
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, etc.)		
	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		
SEG/SEG-S		
TOTAL State Revenues	\$	\$
NET ANNUALIZED FISCAL IMPACT		
	<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS	\$	\$
NET CHANGE IN REVENUE	\$	\$
Agency/Prepared By	Authorized Signature	Date
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