

Fiscal Estimate - 2021 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 21-0266/1	Introduction Number AB-0486	
Description the rights of employees to request and receive work schedule changes; predictable work schedules for retail, food service, and cleaning employees; granting rule-making authority; and providing a penalty		
Fiscal Effect State: <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input checked="" type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local: <input type="checkbox"/> No Local Government Costs <input checked="" type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue 5. Types of Local Government Units Affected <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input checked="" type="checkbox"/> Towns <input checked="" type="checkbox"/> Village <input checked="" type="checkbox"/> Cities 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 <input checked="" type="checkbox"/> Counties <input type="checkbox"/> Others <input checked="" type="checkbox"/> School Districts <input checked="" 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/ Thomas Goodwyn (608) 267-9058	Authorized Signature Danielle Williams (608) 266-2284	Date 9/10/2021

Fiscal Estimate Narratives

DWD 9/10/2021

LRB Number	21-0266/1	Introduction Number	AB-0486	Estimate Type	Original
Description the rights of employees to request and receive work schedule changes; predictable work schedules for retail, food service, and cleaning employees; granting rule-making authority; and providing a penalty					

Assumptions Used in Arriving at Fiscal Estimate

This bill provides that an employee who works for an employer, that employs at least 15 employees, has the right to request and receive changes to the employee's work schedule under certain circumstances including 1) a serious health condition of the employee; 2) responsibilities of the employee as a caregiver for a child or other family member; 3) enrollment of the employee in an educational or training program that leads to a postsecondary credential; and 4) work scheduling conflicts of an employee who is part time with employee's other employment. Unless an employer has a bona fide business reason for denying the request, the employer must approve the request.

The bill also provides that employers of nonexempt employees in certain retail, food service, or cleaning occupations must provide the employee with a written copy of the employee's work schedule on or before the employee's first day of work. With certain exceptions, if an employer changes a work schedule, the employer must provide the new schedule no later than 14 days in advance.

The bill allows the Department of Workforce Development (DWD) to promulgate rules to apply the protections afforded under the bill to additional occupations if DWD determines that at least 10 percent of the individuals employed in an occupation either typically receive notice of changes to their work schedules less than 14 days before the change takes effect, or regularly experience fluctuations in their scheduled hours. In implementing this section of the bill, DWD would incur costs, but they are indeterminate at this time.

The bill provides that an employer may not interfere with, restrain, discharge or discriminate against an employee for enforcing the employee's rights under the bill. An employee whose rights are violated may file a complaint with DWD. DWD or an employee whose rights are violated may bring an action in circuit court against the employer without regard to exhaustion of any administrative remedy.

The department estimates this legislation would generate between 500 to 800 additional complaints annually that cannot be fielded, investigated, or resolved with current authorized position levels. To address this increase, the DWD Equal Rights Division would incur contractor related costs equal to 4.0 FTE positions (three Equal Rights Officers and one Administrative Law Judge) at a cost of \$407,300 GPR. In addition, there would be one-time administrative staffing set-up costs of \$14,000 GPR, and a one-time cost of \$20,000 GPR would be needed to develop new education materials and publications.

DWD, along with other employers affected by the proposed legislation, including local governments, may incur costs related to administration or implementation of the bill or penalties outlined in the bill. These costs are indeterminate at this time.

Long-Range Fiscal Implications

The number of increased complaints is estimated to create workload commensurate with 4.0 FTE positions (three Equal Rights Officers and one Administrative Law Judge) at a cost of \$407,300 GPR, annually,

Fiscal Estimate Worksheet - 2021 Session

Detailed Estimate of Annual Fiscal Effect

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Description the rights of employees to request and receive work schedule changes; predictable work schedules for retail, food service, and cleaning employees; granting rule-making authority; and providing a penalty		
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): One-time administrative staffing set-up costs of \$14,000 GPR, and a one-time cost of \$20,000 GPR would be needed to develop new education materials and publications.		
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	407,300	
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	\$407,300	\$
B. State Costs by Source of Funds		
GPR	407,300	
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	\$407,300	\$
NET CHANGE IN REVENUE	\$	\$
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