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Clearinghouse Rule 23-027

**ORDER OF THE WISCONSIN
DEPARTMENT OF WORKFORCE DEVELOPMENT**

The Wisconsin Department of Workforce Development (Department) adopts the following rule *to repeal* ch. DWD 310 relating to fees for general aptitude test battery (GATB) services.

The statement of scope for this rule, SS 021-23, was approved by the Governor on March 23, 2023, and published in the Wisconsin Administrative Register No. 808A1 on April 3, 2023. The Department did not hold a preliminary public hearing and comment period of the statement of scope. The Secretary-designee of the Department approved the statement of scope on April 19, 2023.

Analysis Prepared by the Department of Workforce Development

Statutes interpreted

None.

Statutory authority

Section 103.005 (1), Stats.

Explanation of statutory authority

Section 103.005 (1), Stats., allows the Department to "adopt reasonable and proper rules and regulations relative to the exercise of its powers and authorities...."

Related statutes or rules

None.

Plain language analysis

Chapter DWD 310 establishes fees for training services and materials related to the GATB that the Department furnishes to governmental and nonprofit organizations. The GATB was a series of tests developed by the U.S. Department of Labor for measuring basic skills, including math, reading, and manual dexterity, that was used primarily for applicants for apprenticeships and skilled industrial or manufacturing positions. However, use of the GATB was discontinued more than 20 years ago and the Department does not provide GATB-related training services and materials. This rule repeals ch. DWD 310 because the chapter is obsolete.

Summary of, and comparison with, existing or proposed federal regulations

No federal statute or existing or proposed federal regulation refers to the GATB.

Comparison with rules in adjacent states

Illinois, Michigan, and Minnesota statutes and administrative rules do not refer to the GATB. Likewise, Iowa statutes do not refer to the GATB. An Iowa administrative rule refers to the GATB, but for a purpose not related to this rule, which is to identify the GATB as an example of one of the types of evaluations required under a Temporary Assistance for Needy Families program that assists program participants in becoming self-sufficient through work-ready activities. See 441 IAC 93.5 (3) b. (1).

Summary of factual data and analytical methodologies

A summary is not applicable because no data analysis was necessary for the Department to promulgate this rule.

Analysis and supporting documents used to determine effect on small business or in preparation of an economic impact analysis

The statement of scope for the rule was posted on the Department's administrative rules website for 14 days to solicit comments on economic impact. No comments were received by the Department.

Fiscal Estimate and Economic Impact Analysis

The Fiscal Estimate and Economic Impact Analysis is attached.

Effect on small business

The rule does not affect small business, as defined in s. 227.114 (1), Stats.

Agency contact person

Questions and comments related to this rule may be directed to:

Steve Laesch, Assistant Administrator for the Division of Employment Training
Department of Workforce Development
Division of Employment Training
P.O. Box 7972
Madison, WI 53707
Telephone: (608) 733-3897
E-Mail: Steve.Laesch@dwd.wisconsin.gov

Place where comments are to be submitted and deadline for submission

Mark Kunkel, Rules and Records Coordinator
Department of Workforce Development
P.O. Box 7946
Madison, WI 53707
E-Mail: DWDAdminRules@dwd.wisconsin.gov

Comments may be submitted to the contact information listed above no later than a date to be determined. The date, time and place of the public hearing will be published in the Wisconsin Administrative Register.

Text of Rule

1 **SECTION 1.** Chapter DWD 310 is repealed.

2 **SECTION 2. EFFECTIVE DATE.** This rule takes effect on the first day of the month following publication
3 in the Wisconsin Administrative Register as provided in s. 227.22 (2) (intro.), Stats.

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Signed this _____ day of _____, 2023.

Amy Pechacek, Secretary-designee