

State of Wisconsin



2017 Assembly Bill 422

Date of enactment: **April 3, 2018**
Date of publication*: **April 4, 2018**

2017 WISCONSIN ACT 195

AN ACT to create 49.162 (1) (c) 4. and 106.38 of the statutes; relating to: creating the Hire Heroes program to provide transitional jobs to veterans, and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 3. 49.162 (1) (c) 4. of the statutes is created to read:

49.162 (1) (c) 4. The Hire Heroes program under s. 106.38.

SECTION 4. 106.38 of the statutes is created to read:

106.38 Hire Heroes program. (1) DEFINITION. In this section, "program" means the Hire Heroes program established under this section.

(2) ESTABLISHMENT. The department shall establish a Hire Heroes program to provide transitional jobs to veterans.

(3) PROGRAM COMPONENTS. The program under this section shall include all of the following features and requirements:

(a) An individual may participate in the program for a maximum of 1,040 hours actually worked.

(b) The employer of record shall pay the individual for hours actually worked at not less than the federal or state minimum wage that applies to the individual.

(c) The department may reimburse an employer that employs an individual participating in the program for a minimum of 20 hours per week at a location in this state for any of the following costs that are attributable to the employment of the individual under the program:

1. A wage subsidy that is equal to an amount negotiated between the department and the employer, that is paid for each hour the individual actually worked, not to exceed 40 hours per week, and that is not more than the federal or state minimum wage that applies to the individual.

2. Federal social security and Medicare taxes.

3. State and federal unemployment insurance contributions or taxes, if any.

4. Worker's compensation insurance premiums, if any.

(d) An employer that employs an individual participating in the program may pay the individual an amount that exceeds any wage subsidy paid to the employer by the department under par. (c) 1., except that the employer or contractor must pay the individual at least minimum wage.

(e) The employment of an individual under this section may not do any of the following:

1. Have the effect of filling a vacancy created by an employer terminating a regular employee or otherwise reducing its work force for the purpose of hiring an individual under this section.

2. Fill a position when any other person is on layoff or strike from the same or a substantially equivalent job within the same organizational unit.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

3. Fill a position when any other person is engaged in a labor dispute regarding the same or a substantially equivalent job within the same organizational unit.

(4) **ELIGIBILITY.** (a) To be eligible to participate in the program, an individual must satisfy all of the following criteria:

1. Be at least 18 years of age.
2. Be a veteran, as defined under s. 45.01 (12), who is verified by the department of veterans affairs.

2m. Submit an application to the program no later than 7 years after the date of discharge from military service.

3. Be ineligible to participate in the Wisconsin Works program under ss. 49.141 to 49.161.

4. Be unemployed for at least 4 weeks.

5. Satisfy all of the requirements related to substance abuse screening, testing, and treatment under s. 49.162 that apply to the individual.

(b) Preference for participation in the program shall be given to individuals whose household income is not more than 60 percent of the statewide median household income, excluding service-connected disability benefits payments by the U.S. department of veterans affairs.

(5) **MEMORANDUM OF UNDERSTANDING FOR ADMINISTRATION.** The department of children and families, the department of veterans affairs, and the department of workforce development shall enter into a memorandum of understanding for the purpose of administering this section. The memorandum of understanding shall include all of the following:

(a) That the department of veterans affairs shall refer veterans to the program and verify eligible veterans who apply for the program.

(b) That the department of workforce development shall allocate not more than \$400,000 each fiscal year from the appropriation account under s. 20.445 (1) (m) for the purposes of funding the Hire Heroes program.

(c) That the department of workforce development shall be responsible for administering the program.

(d) That the department of children and families, the department of veterans affairs, and the department of workforce development shall each seek additional federal funds to support the program.

(e) That the department of workforce development, department of children and families, and department of veterans affairs shall, to the greatest extent possible, implement the program to achieve all of the following:

1. Minimization of administrative costs by using existing contractors and other arrangements made by the department of children and families in the administration of the Transform Milwaukee Jobs and Transitional Jobs programs under s. 49.163.

2. Coordination of any future expansion of the Transform Milwaukee Jobs and Transitional Jobs programs under s. 49.163 with any future expansion of the Hire Heroes program.

3. Addressing the most urgent needs of Wisconsin's unemployed veterans.

(6) **RECOVERY OF OVERPAYMENTS.** The department may recover from any individual participating, or who has participated, in the program under this section any overpayment resulting from a misrepresentation by the individual as to any criterion for eligibility under sub. (3).

(7) **RULE-MAKING AUTHORITY.** The department may promulgate rules to implement the program.

(8) **REPORT.** Beginning in 2018, no later than December 31, the department shall prepare an annual report on the Hire Heroes program and shall submit the report to the governor, the appropriate standing committees of the legislature under s. 13.172 (3), the department of children and families, and the department of veterans affairs. The annual report shall include all of the following information about the program:

(a) The cost of the program.

(b) The number of applicants for the program.

(c) The number of placements in the program.

(d) The outcomes of the placements, including whether a veteran continued with the employer in an unsubsidized position, secured other unsubsidized employment, or did not secure an unsubsidized position after participation in the program and why, and what the post-program earnings of participants are.

(e) Opportunities and suggestions for expansion and improvement of the program.