



ROBIN J. VOS

SPEAKER OF THE WISCONSIN STATE ASSEMBLY

Members of the Assembly Committee on Veterans and Military Affairs,

Thank you for the opportunity to provide testimony in support of Assembly Bill (AB) 1079, related to the employment of direct-care employees by veterans homes.

After many discussions with my constituents and those who are familiar with the state Veterans Home at Union Grove, one of the issues that has continually been brought up to me is the issue of staffing.

As both Veterans Homes at Union Grove and King are state owned and operated, all employees at these homes are state employees and, therefore, must go through the state's civil service process in order to be hired. I have heard frustrations from families and volunteers at the home about how long this process can take, which has exacerbated an existing challenge at the homes related to staffing. In incredibly high demand fields such as nursing, it's understandable that few nurses or CNAs will want to wait weeks, or even months, to go through the hiring process before ultimately being offered a position. Our veterans deserve the best possible care and that starts with being able to hire needed staff in a timely manner.

AB 1079 is the result of these concerns I've heard from constituents and the results of discussions with the Department of Veterans Affairs (DVA) over the past few months. I approached them last fall in hopes of finding some reasonable solutions to getting direct care staff into our veterans home more quickly. With this goal in mind, AB 1079 provides some limited and targeted exemptions to the state's civil service process for employees providing direct care to our veterans. These reforms include:

- 1) Allowing DVA to hire (outside of the state civil service process) nurses, nurse aides, medical assistants, and dietitians who are graduates of a Wisconsin school if: 1) an offer of employment is made before their graduation or completion of their training, and 2) they obtain the needed license or certifications after their graduation or training.
- 2) Exempting non-supervisory staff that provide direct care to a resident of a veterans home from certain aspects of the state civil service process, specifically, an exemption from the rating and interview panel requirements.
- 3) Requiring the Department of Administration (DOA) to speed up some of their certification timelines so DVA can begin the hiring process sooner, and requiring DOA to maintain a rolling list of eligible applicants until it's no longer deemed necessary.

It is important to note that these civil service changes are intended to function as a pilot and will sunset on January 1, 2029. We feel these are reasonable, yet meaningful reforms, that will only impact a small number of employees at our two state-operated veterans homes.

In addition to these reforms that will enable DVA to interview and hire eligible applicants more quickly, the bill also allows employees who provide direct care to the veterans to get paid weekly, if requested. Weekly payment is becoming standard in the industry and currently used by the contractor of the Chippewa Falls Veterans Home.

Finally, the bill makes two more small changes, unrelated to the staffing issue at the veterans homes:

- 1) Removes the state residency requirement for eligibility for burial in a Wisconsin Veterans Cemetery. This is in response to a United States Department of Veterans Affairs mandate to receive federal grants for expansion of state-funded Veteran Cemeteries.
- 2) Fixes a drafting error from 2023 WI Act 47, a Joint Legislative Council bill from the Study Committee on Wisconsin National Guard Sexual Misconduct Procedures.

I hope you can join me in supporting this legislation, which is the result of good faith discussions with the Department of Veterans Affairs. These small reforms could go a long way in providing our nation's heroes with the care they need, and have earned, in a timely manner.

Thank you again for the opportunity to testify today – I am happy to answer any questions you have.



Assembly Committee on Veterans and Military Affairs

February 14, 2024

Testimony on Assembly Bill 1079

I want to start off by thanking Chairman Edming and Committee members for holding this hearing. I also want to thank Speaker Vos, Representative Petersen, Senator Wanggaard, Senator Ballweg and Senator Testin for working with us on this issue.

Pursuant to Wisconsin Statute 45.61, WDVA constructs and operates Veterans Cemeteries in central, northwestern, and southeastern Wisconsin, including applying for and accepting grants from the Federal Government for the purposes of maintenance, restoration, preservation, and rehabilitation of the cemeteries. Wisconsin statutes impose a residency requirement for eligibility for burial in a Wisconsin Veterans Cemetery.

The United States Department of Veterans Affairs (USDVA) has placed a mandate in its Memorandums of Understanding (MOU) for acceptance of federal grants for expansion of state-funded Veteran Cemeteries requiring that any state residency requirement “be eliminated by January 1, 2025.”

The National Cemetery Administration (NCA) has added a similar mandate in MOUs for all grants under the Veteran Cemetery Grants Program (VCGP). This means that any state that has a residency requirement for interment in a State Veteran Cemetery that has been receiving grant money from the Veterans Cemeteries Grants Program (VCGP) will no longer be eligible.

WDVA has relied on the federal grants for a significant portion of its funding for the Veterans Cemeteries. In 2021 and 2022, WDVA received over 8 million dollars in grant funds from the USDVA for Southern Wisconsin Veterans Memorial Cemetery. WDVA will no longer be eligible to apply for grants if the residency requirement is not eliminated by January 1, 2025.

Assembly Bill 1079 removes the residency requirement from State Statutes and would allow WDVA to apply for Federal Funds. The bill makes a few additional changes to other statutes, and I would be happy to answer any questions you have about those changes.



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Kathy Blumenfeld, Secretary
Jen Fogel, Administrator

**Department of Administration Division of Personnel Management Testimony on 2023 Assembly Bill 1079
February 14, 2024**

Dear Assembly Committee on Veterans and Military Affairs Chair Edming and Committee Members,

Thank you for the opportunity to provide testimony today on 2023 Assembly Bill 1079 (AB 1079). As the Administrator of the Department of Administration's Division of Personnel Management (DPM), I am writing to provide information about the provisions of this bill related to the employment of direct-care employees by veterans homes.

First, please know that I recognize and appreciate that this bill aims to address staffing challenges the state's veterans homes are facing. Across both the public and private sector, employers are struggling to recruit and retain workers. I regret to inform the Committee that this bill will not help to alleviate workforce-related issues at veterans homes. The authority to address all of the personnel-related changes proposed in this bill already exists, with the exception of the weekly payroll provision.

Under current processes developed to help the veterans homes navigate this challenged labor market, recruitments for direct care positions at veterans homes are continuous, which means that new applicants apply for the direct care positions and are immediately processed on a daily basis. The only initial screening done in this current process is a license check with the Department of Safety and Professional Services. Making offers contingent on licensure or graduation from a required program also occurs.

Although interviewing candidates does extend the time it takes to complete the hiring process with a candidate, interviews are critical to ensuring the applicants hired to provide direct care in veterans homes are able to give those who served our country the quality care they deserve. To facilitate an expeditious interview process, standing interview panels have been created so candidates who apply through the continuous recruitment process can quickly move forward to an interview.

With the continuous hiring processed described above in place, veterans homes are interviewing candidates for direct care positions and a few other key positions in an average time of three days, well within the seven-day time frame proposed by AB 1079. Candidates are then typically hired within one week to allow time to properly check references and conduct criminal background checks. However, AB 1079 extends the scope of the proposed time frame beyond direct care positions to all permanent positions at veterans homes. The standard (non-continuous) recruitment procedure in place for many of the non-direct care positions and veterans homes would not be able to support a seven-day time frame. As such, if this requirement were to be enacted, DPM would have to develop continuous recruitment procedures for all permanent positions at veterans homes. The development of continuous recruitment processes for all permanent positions at veterans homes would require significant work within DPM, removing resources from other important projects, and provide no substantial benefit to staffing at veterans homes. Continuous recruitments for non-direct care positions at veterans homes could also create scenarios where candidates have applied to positions without a vacancy to consider them for.

Another provision in AB 1079 that would ultimately create more challenges than benefits is the option for direct care staff at veterans homes to receive pay on a weekly basis. Changing veterans home direct care staff to weekly payroll would be a complex project that would require material changes to the State's payroll processing system. Additionally, it would create a different payroll process for employees in similar roles in different agencies and for other employees working in the same facility. This change would move the State away from consistent payroll processing which adds complexity, potential for confusion amongst staff, and cost.

Thank you for your consideration.

Sincerely,

Jen Fogel
Division of Personnel Management Administrator