



Van H. Wanggaard

Wisconsin State Senator

Spoken Testimony on Assembly Bill 1079

Employee Hiring at State Veterans' Homes

Good Morning. Thank you Chairman Testin and committee members, for allowing me to testify on Assembly Bill 1079 (AB 1079) relating to employment of direct-care employees at our State's veterans homes.

Simply put, our State's veterans home are struggling to hire the direct care staff they need to take care of our veterans. This bill will remove some barriers in the hiring process that will allow the Wisconsin Department of Veterans Affairs (DVA) to get direct care staff into the veteran's homes more quickly.

The small reforms in this bill will go a long way in providing our nation's heroes with the care they need, and have earned, in a timelier manner. The staffing shortage at our veterans homes, which is already exacerbated by other challenges, does not need to face additional and unnecessary red tape.

Staffing challenges at the homes have been well documented in recent years. Since all employees at King and Union Grove Veterans Homes are state employees, they must go through the state's civil service process in order to be interviewed and hired. 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.

Specifically, 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, which are intended to function as a pilot and will sunset on January 1, 2029, include:

- o 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.

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- Exempting non-supervisory staff that provide direct care to a resident of a veterans home from rating and interview panel requirements.
- 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.

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.

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

- 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.
- 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. Specifically, it repeals an element of DVA's Code of Military Justice to align with the Uniform Code of Military Justice.

Finally, the Assembly included one minor amendment before passing this bill, Assembly Amendment 1. Per Legislative Council, the amendment clarifies that DOA must certify a register of eligible applicants for vacant permanent positions at a state veterans home within seven "business" days.

Again, the small reforms in this bill will go a long way in providing our nation's heroes with the care they need, and have earned, in a timelier manner. Thank you for your consideration.



ROBIN J. VOS

SPEAKER OF THE WISCONSIN STATE ASSEMBLY

Members of the Senate Committee on Labor, Regulatory Reform, Veterans and Military Affairs:

Thank you for taking the time to hear Assembly Bill (AB) 1079 and Senate Bill (SB) 1066, 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, volunteers, and residents 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 this past session. I approached the Department last year 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. These applicants will still need to submit resumes and go through other aspects of the civil service process.
- 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 who are providing direct care for our veterans.

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.

Additionally, 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.

Finally, Assembly Amendment 1, adopted in the Assembly, makes two small changes requested by DOA: clarifies they have 7 “business” days to certify eligible applicants and provides the Department a little more time to implement the weekly payroll provision. I’m pleased to note that this bill passed on a voice vote in the Assembly in February.

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 provide testimony today – please feel free to reach out to my office with any questions.



**Senate Committee on Labor, Regulatory Reform, Veterans and Military Affairs
March 6, 2024
Testimony on Senate Bill 1066 & Assembly Bill 1079**

I want to start off by thanking Chairman Testin and Committee members for holding this hearing today. I also want to thank Senator Wanggaard, Senator Ballweg and Senator Testin, as well as Speaker Vos and Representative Petersen for sponsoring the bill and 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.

Senate Bill 1066 and Assembly Bill 1079 remove 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 Flogel, Administrator

**Department of Administration Personnel Management Testimony on 2023 Senate Bill 1066
March 6, 2024**

Dear Senate Committee on Labor, Regulatory Reform, Veterans, and Military Affairs Chair Testin and Committee Members,

Thank you for the opportunity to provide testimony today on 2023 Senate Bill 1066 (SB 1066). 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.

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. Under current processes developed to help the veterans homes navigate this challenging labor market, recruitments for direct care positions at veterans homes are continuous.

Under the continuous recruitment process, 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. That said, offers contingent on licensure or graduation from a required program are also made.

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 process 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. Candidates are then typically hired within one week to allow time to properly check references and conduct criminal background checks.

Given the continuous hiring process currently in place for direct care positions at veterans homes closely mirrors the aspects of SB 1066 related to the recruitment and hiring process, DPM believes that compliance with the recruitment and hiring provisions provided by SB 1066 would be attainable.

The provision in SB 1066 that is of concern to DPM as it 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 very 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 substantial cost.

Thank you for your consideration.

Sincerely,

Jen Flogel
Division of Personnel Management Administrator