

WORKFORCE DEVELOPMENT

Budget Summary							
Fund	2016-17 Base Year Doubled	2017-19 Governor	2017-19 Jt. Finance	2017-19 Legislature	2017-19 Act 59	Act 59 Change Over Base Year Doubled	
						Amount	Percent
GPR	\$87,629,000	\$102,488,100	\$102,327,800	\$102,327,800	\$102,327,800	\$14,698,800	16.8%
FED	422,924,400	406,747,600	406,747,600	406,747,600	406,747,600	- 16,176,800	- 3.8
PR	154,299,600	150,990,800	150,990,800	150,990,800	150,990,800	- 3,308,800	- 2.1
SEG	<u>60,353,400</u>	<u>49,581,100</u>	<u>49,581,100</u>	<u>49,581,100</u>	<u>49,581,100</u>	<u>- 10,772,300</u>	- 17.8
TOTAL	\$725,206,400	\$709,807,600	\$709,647,300	\$709,647,300	\$709,647,300	- \$15,559,100	- 2.1%

FTE Position Summary						
Fund	2016-17 Base	2018-19 Governor	2018-19 Jt. Finance	2018-19 Legislature	2018-19 Act 59	Act 59 Change
						Over 2016-17 Base
GPR	148.87	150.82	150.82	150.82	150.82	1.95
FED	1,183.13	1,166.18	1,166.18	1,166.18	1,166.18	- 16.95
PR	240.25	218.25	218.25	218.25	218.25	- 22.00
SEG	<u>67.30</u>	<u>66.80</u>	<u>67.80</u>	<u>67.80</u>	<u>67.80</u>	<u>0.50</u>
TOTAL	1,639.55	1,602.05	1,603.05	1,603.05	1,603.05	- 36.50

Budget Change Items

Departmentwide

1. STANDARD BUDGET ADJUSTMENTS

Governor/Legislature: Adjust the agency's base budget by -\$336,500 GPR, -\$3,743,200 FED, -\$1,437,400 PR, and -\$120,800 SEG in 2017-18, and -\$318,200 GPR, -\$4,070,600 FED, -8.00 FED positions, -\$1,388,600 PR, and -\$111,700 SEG in 2018-19. The adjustments are for: (a)

turnover reduction (-\$217,100 GPR, -\$1,650,700 FED, -\$475,500 PR, \$90,700 SEG annually); (b) removal of noncontinuing elements from the base (-\$418,400 FED and -8.00 FED positions

	Funding	Positions
GPR	- \$654,700	0.00
FED	- 7,813,800	- 8.00
PR	- 2,826,000	0.00
SEG	<u>- 232,500</u>	<u>0.00</u>
Total	- \$11,527,000	- 8.00

in 2018-19); (c) full funding of continuing position salaries and fringe benefits (-\$54,700 GPR, -\$2,387,300 FED, -\$668,400 PR, and \$6,600 SEG annually); (d) overtime (\$154,200 PR annually); (e) full funding of lease and directed moves costs (-\$64,700 GPR, \$294,800 FED, -\$447,700 PR, and -\$36,700 SEG in 2017-18, and -\$46,400 GPR, \$385,800 FED, -\$398,900 PR, and -\$27,600 SEG in 2018-19); and (f) minor transfers within the same appropriation.

2. FEDERAL APPROPRIATIONS REESTIMATE

FED	- \$8,363,000
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Governor/Legislature: Delete \$4,181,500 in 2017-18 and \$4,181,500 in 2018-19 to align federal expenditure authority with the amount of revenue that the Department of Workforce Development (DWD) estimates will be deposited into appropriations. The adjustments are as follows:

<u>Appropriation</u>	<u>2017-18</u>	<u>2018-19</u>
Workforce investment and assistance	\$688,400	\$ 688,400
Unemployment administration	-5,568,200	-5,568,200
Unemployment administration; apprenticeship and other employment services	-900,400	-900,400
Vocational rehabilitation; program aids and operations	<u>1,598,700</u>	<u>1,598,700</u>
Total	\$4,181,500	\$4,181,500

3. WORKER INJURY SUPPLEMENTAL BENEFIT FUND REESTIMATE

SEG	- \$10,539,800
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Governor/Legislature: Delete \$5,269,900 in 2017-18 and \$5,269,900 in 2018-19 from the Worker Injury Supplemental Benefit Fund (WISBF) to align expenditure authority within the WISBF appropriation to reflect estimated expenditure levels (down from \$10.6 million to \$5.4 million annually). 2015 Act 55 terminated reimbursements for supplemental workers compensation benefits paid by insurers from the WISBF beginning July 14, 2015. Instead, an insurer paying supplemental benefits after that date would be entitled to annual reimbursement from the workers compensation operations fund.

4. TRANSFER HUMAN RESOURCES FUNCTIONS TO DOA [LFB Paper 110]

	Funding	Positions
GPR	\$0	- 0.05
PR	- 173,000	- 20.00
FED	<u>0</u>	<u>- 1.95</u>
Total	- \$173,000	- 22.00

Governor/Legislature: Delete \$86,500 PR and 1.0 vacant PR position annually associated with human resource services and payroll and benefit services. Transfer position authority to the Department of Administration (DOA) for a human resources shared agency services program. Funding and position authority would be deleted from DWD's administrative services appropriation (-\$86,500 PR and -1.0 PR positions annually). The administration indicates that the vacant PR position deleted from DWD and transferred to DOA would become an employee

who is located at the Division of Personnel Management in DOA.

In addition, delete 21.0 positions in 2018-19 associated with human resource services and payroll and benefit services. Transfer position authority to the Department of Administration (DOA) for a human resources shared agency services program. Positions would include 0.05 GPR, 19.0 PR, and 1.95 FED, and would be deleted from the following appropriations: (a) general program operations (-0.05 GPR position); (b) interagency and intra-agency agreements (-0.1 PR position); (c) administrative services (-18.9 PR positions); (d) workforce investment and assistance (-0.95 FED positions); and (e) employment assistance and unemployment insurance administration (-1.0 FED position). Funding associated with the positions (\$3,300 GPR, \$1,837,500 PR, and \$164,100 FED) would not be reduced, but rather reallocated to supplies and services to pay shared agency services charges assessed by DOA. Provide that on July 1, 2018, all positions (including incumbent employees holding those positions), assets and liabilities, personal property, and contracts, relating to human resource services and payroll and benefit services, as determined by the Secretary of DOA, are transferred to DOA. Provide that incumbent employees transferred to DOA would retain their employee rights and status that the employee held immediately before the transfer, and provide that employees transferred to DOA who have attained permanent status would not be required to serve a probationary period.

With regards to the positions transferred to DOA in 2018-19, the administration indicates that, although the positions would be transferred to DOA, the individuals holding those positions would continue to be located at DWD but would become DOA employees rather than employees of DWD.

Transfer the following functions to the Division of Personnel Management within DOA: (a) human resources; and (b) payroll and benefit services. Provide that DOA may assess agencies for services provided under the shared agency services program in accordance with a methodology determined by DOA. [See "Administration -- Transfers."]

[Act 59 Sections: 73, 9101(9), 9201(1), and 9104(4)]

5. TRANSFER POSITION FOR STATE CONTROLLER'S OFFICE STAFFING [LFB Paper 116]

	Funding	Positions
PR	- \$156,600	- 1.00

Governor/Legislature: Transfer 1.0 position to the Department of Administration "to better align staffing with workload changes resulting from the implementation of the enterprise resource planning system," commonly known as STAR (for State Transforming Agency Resources). Delete \$78,300 annually from DWD's administrative services appropriation associated with salary and fringe benefits for the position. [See "Administration -- Transfers."]

6. TRANSFER POSITION TO ADMINISTRATION FOR INFORMATION TECHNOLOGY PURCHASING [LFB Paper 112]

	Funding	Positions
PR	- \$153,200	- 1.00

Governor/Legislature: Delete 1.0 vacant position and \$76,600 in salary and fringe

benefits annually associated with the position from DWD's administrative services appropriation. Under the provision, additional position authority would be created in the Department of Administration for information technology and services procurement and purchasing. [See "Administration -- Transfers."]

Employment and Training

1. WISCONSIN FAST FORWARD [LFB Paper 690]

	Funding	Positions
GPR	\$11,500,000	2.00

Governor: Provide \$11,500,000 in 2017-18 to DWD's workforce training grant program appropriation. Provide 2.0 GPR positions annually to the Department's workforce training administration appropriation. No funding is associated with the additional positions. The Department could reallocate funding from supplies within the administration appropriation.

Modify the Department's existing Fast Forward workforce training program to allow DWD to award grants from the Fast Forward appropriation for any of the following additional activities:

- a. Grants for collaborative projects among school districts, technical colleges, and businesses to provide high school students with industry-recognized certifications in high-demand fields, as determined by the Department.
- b. Grants for programs that train teachers and that train individuals to become teachers, including teachers in dual enrollment programs.
- c. Grants for the development of public-private partnerships designed to improve workforce retention through employee support and training.
- d. Grants to nonprofit organizations, institutions of higher education as defined in federal law, and employers to increase the number of students who are placed with employers for internships.
- e. Grants to community-based organizations for public-private partnerships to create and implement a nursing training program for middle school and high school students.

Define "dual enrollment program" to mean a program or course of study designed to provide high school students the opportunity to gain credits in both technical college and high school, including transcribed credit programs or other educational services provided by contract between a school district and a technical college. Further, define "teacher" to include an instructor at a Wisconsin Technical College System technical college.

Permit DWD to expend money from the Department's workforce training grant program appropriation as well as DWD's workforce training administration appropriation for the Department's registered apprenticeship program and for grants under the apprenticeship completion awards program. Under current law, apprenticeship-related expenditures from these appropriations are only permitted for apprenticeship completion awards.

Specify that the Department must allocate not less than \$5,000,000 in 2017-18 from DWD's workforce training grant program appropriation for grants to technical colleges for: (a) workforce training programs as described above under "a." through "e."; and (b) grants to technical colleges under the existing Fast Forward workforce training program, which permits the Department to award grants to private and public organizations for the development and implementation of programs to train unemployed and underemployed workers and incumbent employees of businesses in this state.

Specify that the Department must allocate not less than \$1,500,000 in the 2017-19 biennium from DWD's workforce training grant program appropriation for grants to nursing training programs as described above under "e.".

Specify that the Department may allocate \$5,000,000 in additional funding provided in 2017-18 from DWD's workforce training grant program appropriation for the expanded Fast Forward grant program as shown in the following table.

	2016-17	Governor	
	Base	2017-18	2018-19
Expanded Fast Forward grant program	\$10,545,900	\$16,595,900	\$10,595,900
Career and Technical Education Incentive Grants	3,000,000	3,000,000	3,000,000
Grants for Technical College Workforce Training Programs		5,000,000	
Grants for Nursing Training Programs		1,500,000	
Total	\$13,545,900	\$26,095,900	\$13,595,900

In the above table, the Department may expend the amounts indicated for the expanded Fast Forward grant program on any of the following: youth apprenticeship grants, youth summer jobs programs, employment transit assistance grants, standard Fast Forward workforce training program grants, expanded workforce training grants as described under "a." through "e." in this section, teacher development program grants (see separate entry "Teacher Development Program Grants"), mobile classrooms (provided \$1,050,000 in 2017-18 and \$50,000 in 2018-19, see separate entry "Grants to Create Mobile Classrooms for Job Skills Training"), career and technical education incentive grants, and various DWD-administered apprenticeship programs.

Require DWD to report annually, by December 31, to the Governor and the Joint Committee on Finance: (a) the number of students who participate in certification or training programs under "a." and "e." above; and (b) information on the number of student interns who are placed with employers as a result of the grants awarded under "d." above.

Joint Finance/Legislature: Adopt the Governor's recommendations to expand the Fast

Forward program and provide additional expenditure and position authority to DWD's workforce training appropriations. In addition, transfer \$168,800 GPR annually from supplies and services to salaries and fringe to permanently fund the positions.

The following table shows funding allocations within the Department's workforce training grants appropriation. Refer to summary items #2 through #6 for changes made by the Joint Committee on Finance to DWD's workforce training grants appropriation.

	2016-17	Joint Finance/Leg.	
	Base	2017-18	2018-19
Expanded Fast Forward grant program	\$10,545,900	\$15,895,900	\$10,095,900
Career and Technical Education Incentive Grants	3,000,000	3,500,000	3,500,000
Grants for Technical College Workforce Training Programs		5,000,000	
Grants for Nursing Training Programs		1,500,000	
Building Occupational Skills for Success (BOSS)		200,000	
Total	\$13,545,900	\$26,095,900	\$13,595,900

[Act 59 Sections: 398, 399, 1397 thru 1402, 1404, 1406, and 9151(1)&(2)]

2. GRANTS TO CREATE MOBILE CLASSROOMS FOR JOB SKILLS TRAINING [LFB Paper 690]

GPR	\$1,100,000
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Governor: Provide \$1,050,000 in 2017-18 and \$50,000 in 2018-19 to DWD's workforce training grant program appropriation, commonly referred to as Wisconsin Fast Forward. Specify that of these amounts the Department may allocate: (a) up to \$1,000,000 for grants to fund the creation and operation of mobile classrooms; and (b) up to \$50,000 in each of 2017-18 and 2018-19 for grants to fund the upkeep and maintenance of the mobile classrooms.

Specify that the mobile classrooms must be used to provide job skills training to individuals in underserved areas of this state, including inmates at correctional facilities who are preparing for reentry into the workforce. Further, allow the grant money to be used by the grant recipient to purchase capital equipment, such as a mobile or modular unit, that will be used as a mobile classroom, including costs to modify the equipment to make it suitable for classroom instruction, and to purchase and install any furniture, equipment, and supplies necessary or desirable for outfitting the mobile classroom for the job skills training that will be provided in the mobile classroom.

Require DWD to track job training outcomes of the mobile classrooms program, such as the number of program participants and the number of unemployed workers who obtain gainful employment, and to include these outcomes in an existing report issued annually, by December 31, by the Department to the Governor and the Joint Committee on Finance.

Specify that to implement the program, the Department must receive and review applications for the grants and prescribe the form, nature, and extent of the information that must be contained in an application for the grant.

Joint Finance/Legislature: Modify the Governor's recommendation to require (instead of authorize) DWD to award up to \$1,000,000 for grants, and require the grants be awarded to the Department of Corrections to fund the creation and operation of mobile classrooms.

[Act 59 Sections: 398, 1403, 1405, and 1406]

3. TEACHER DEVELOPMENT PROGRAM GRANTS [LFB Paper 690]

Governor: Specify that DWD must award grants from the Department's Fast Forward workforce training; programs, grants and services appropriation to a school district that has partnered with one of the following entities to design and implement a teacher development program: (a) a school of education in the University of Wisconsin System; or (b) the flexible option program in the University of Wisconsin System Extension. The bill does not specify the amount that must be awarded under the provision.

In awarding a grant, specify that DWD: (a) consult with the Department of Public Instruction (DPI) to confirm that the teacher development program satisfies certain requirements; (b) consider the methods by which the school district and partnering entity will make the teacher development program affordable to participating employees; and (c) consider whether the school district has agreed to contribute matching funds towards the teacher development program.

In applying for a grant, specify that a school district, together with a partnering entity, would be required to design the teacher development program to prepare employees of the school district who work closely with students and hold a bachelor's degree to successfully complete the requirements for obtaining a professional teaching permit or an initial teaching license, including any standardized examination prescribed by the State Superintendent as a condition for permitting or licensure.

Specify that, to implement the teacher development program, a school district would be required to allow employees who are enrolled in the program to satisfy student teaching requirements in a school in the school district, and that the partnering entity must prepare and provide intensive coursework for participating school district employees.

Allow DPI to issue an initial teaching license to an individual who completes a teacher development program under the grant program. [See "Public Instruction -- Administrative and Other Funding."]

Joint Finance/Legislature: Delete the requirement that a teacher development program must be designed and implemented with either a school of education in the University of Wisconsin System or a flexible option program in the University of Wisconsin Extension.

Expand the eligibility of the teacher development program to include school districts, private schools and charter management organizations.

Require that a teacher development program be designed and implemented in partnership with an educator preparation program approved by the Department of Public Instruction (DPI), and headquartered in Wisconsin.

Permit teacher development programs to allow individuals that do not have a bachelor's degree to enter a teacher development program. An individual would still be required to have a bachelor's degree to obtain a professional teaching permit (s.118.192) or an initial teaching license (s.118.19) from DPI, as required under current law.

[Act 59 Sections: 398, 399, 1407, and 1524]

4. GRANT FOR BUILDING OCCUPATIONAL SKILLS FOR SUCCESS PROGRAM

Joint Finance/Legislature: Require DWD to provide a grant of \$200,000 in fiscal year 2017-18, from the Department's workforce training grants appropriation, to the Milwaukee Development Corporation for the purpose of supporting the Building Occupational Skills for Success (BOSS) program that is designed to provide students with the skills and tools needed to become future business owners if all of the following are satisfied: (a) the Milwaukee Development Corporation or any other organization provides equal matching funds to support the BOSS program; (b) the Milwaukee Development Corporation agrees to make the BOSS program curriculum available, upon request, from any school board, operator of a charter school authorized under section 118.40 (2r) or (2x) of the statutes, private school, tribal school, or any nonprofit organization after the program has been implemented in Milwaukee Public Schools for one year; and (c) the Milwaukee Development Corporation agrees to submit a report to the Joint Committee on Finance that summarizes the results of the BOSS program by no later than 90 days after the program has been implemented in Milwaukee Public Schools for one year.

[Act 59 Sections: 398, 398b, 9151(5q), and 9451(2q)]

5. CAREER AND TECHNICAL EDUCATION INCENTIVE GRANTS

Joint Finance/Legislature: Require DWD to allocate not less than \$3,500,000 GPR annually for Career and Technical Education incentive grants from the Department's workforce training grants appropriation, instead of not less than \$3,000,000 under current law.

Prohibit DWD from awarding a grant to a school district if the industry-recognized certification program completed by the pupil as a condition of the grant was completed through the information technology grant program. [See "Public Instruction -- Administrative and Other Funding."]

[Act 59 Sections: 1407g and 1407i]

6. TECHNICAL EDUCATION EQUIPMENT GRANTS

Joint Finance/Legislature: Create a technical education equipment grant program and allow DWD to allocate up to \$500,000 annually for technical education equipment grants to school districts from the Department's workforce training grants appropriation. Permit DWD to expend funding from the Department's workforce training administrative appropriation for the

administration of the technical education equipment grant program.

Require DWD to award grants of not more than \$50,000 to school districts whose grant applications are approved by the Department. Require a school district that is awarded a grant to use the grant moneys awarded for the acquisition of equipment that is used in advanced manufacturing fields in the workplace, together with any software necessary for the operation of that equipment and any instructional material necessary to train pupils in the operation of that equipment.

Require a school district that is awarded a technical education equipment grant to provide matching funds equal to 200 percent of the grant amount awarded. The match may be in the form of money, or the monetary value of equipment, contributed from private sources, the school district, or both.

Require a school district that wishes to receive an equipment grant to apply for the grant in accordance with procedures and requirements established by the Department. Require that a grant application describe the purpose and need for the grant, the projected outcomes that the school district is seeking to achieve as a result of receiving the grant, the amount and source of the required matching funds and any other information that DWD may require.

Require the DWD Secretary to appoint an advisory committee composed of five individuals from different industrial sectors of the economy and from different geographic regions of Wisconsin, to assist DWD in reviewing and evaluating grant applications. Require DWD, in consultation with the advisory committee, to review and evaluate a grant application in accordance with procedures and criteria established by the Department.

Require each school district that receives a grant to file a report with DWD by September 1 of each of the first three fiscal years following the fiscal year in which the grant was received. The report must describe how the grant moneys were expended, describe the outcomes achieved as a result of receiving the grant, share the best practices employed by the school district regarding the training of pupils in the use of the equipment acquired with the grant moneys, include a plan for sustainability of that training, and provide such other information as the Department may require under rules promulgated by DWD.

Require DWD to promulgate rules to implement the program, including: (a) rules establishing the procedures and requirements for applying for a grant, including the information that must be submitted with a grant application; (b) rules establishing the procedures and criteria for awarding a grant; and (c) rules governing the reporting requirements, including the information that must be provided in a submitted report. Authorize DWD to promulgate the administrative rules required to implement the program as emergency rules without having to provide a finding of emergency.

Authorize DWD to award grants from the Department's workforce training grants appropriation to a school district to support building modifications needed to support a school district's technical education programs. Require DWD to report annually, by December 31, to the Governor and the Joint Committee on Finance, on the building modifications funded under the grants, and the effect of those building modifications on the school districts' technical education

programs.

Veto by Governor [B-40]: Delete the requirement that the Department appoint and consult with an advisory committee in reviewing and evaluating technical education equipment grant applications.

[Act 59 Sections: 398, 399, 1402c, 1406, 1407k, and 9151(5y)]

[Act 59 Vetoed Section: 1407k]

7. GRANTS FOR TEACHER TRAINING AND RECRUITMENT

GPR	\$1,000,000
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Joint Finance/Legislature: Transfer \$500,000 GPR annually and the Department of Public Instruction (DPI) biennial GPR Teach for America appropriation to DWD and rename the appropriation "Workforce development; grants for teacher training and recruitment." From this appropriation, require DWD to award a grant to a nonprofit organization that applies to receive a grant if all the following apply: (a) the organization is described under section 501(c)(3) or (4) of the Internal Revenue Code and exempt from taxation under section 501(a) of the Internal Revenue Code, (b) the organization operates a program to recruit and prepare individuals to teach in public or private schools located in low-income or urban school districts in Wisconsin, and (c) the organization submits an application no later than January 15 in the year for which the organization seeks a grant and includes with its application a description of the organization and its program and the manner in which grant funding will benefit or has benefited the organization in the past.

Require DWD to establish a process for evaluating and assigning a score to each organization eligible to receive a teacher training and recruitment grant. If the amount appropriated is insufficient, require DWD to give preference in evaluating teacher training and recruitment grants to a nonprofit organization for each of the following: (a) the program trains future teachers who are enrolled in an accredited college or university in Wisconsin concurrent with training; (b) the program focuses on future teachers who plan to teach in public or private schools in Wisconsin as a profession; (c) the program provides continuing education and professional development; and (d) the program attempts to place a majority of its total participants in public or private schools located in low-income or urban school districts in Wisconsin.

Specify that DWD, when awarding a teacher training and recruitment grant, may not consider the religious affiliation, if any, of the nonprofit organization or whether the organization has received funding from the state in the past.

Require DWD, by February 15 of each year, to make its determination regarding successful applicants and notify those applicants that will receive a teacher training and recruitment grant.

Delete the DPI Teach for America grant program which authorizes DPI to grant the amounts appropriated in the schedule to Teach for America, Inc., for the purposes of recruiting

and preparing individuals to teach in low-income or urban school districts in Wisconsin.

[Act 59 Sections: 216m, 1407m, and 1467b]

8. EARLY COLLEGE CREDIT PROGRAM [LFB Paper 518]

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$2,903,800	- \$1,150,300	\$1,753,500

Governor: Create an annual GPR appropriation and provide \$1,150,300 in 2017-18 and \$1,753,500 in 2018-19 to reimburse school districts for payments under the early college credit program. Under the early college credit program, any public high school pupil could enroll in an institution of higher education for the purpose of taking one or more nonsectarian courses, including during a summer semester or session. [See "Public Instruction -- Choice, Charter, and Open Enrollment."]

Require the school board of the district in which the pupil is enrolled to pay the institution the determined tuition amount within 30 days after the end of the semester and submit to DPI an itemized report of the amount paid. Require DWD to pay to DPI a portion of the costs of tuition for a pupil attending an institution of higher education under this program on behalf of the school board, with the reimbursement percentage determined based on the type of course credit received by the pupil, as described below. Require DPI to reimburse each school board the amount received from DWD. If the appropriation under DWD is insufficient to reimburse all school districts the full amount of reimbursable tuition, the Secretary of DWD would be required to notify the State Superintendent, who would then be required to prorate the amount of the payments among eligible school districts.

Require DWD to reimburse school districts for 25% of the cost of tuition if the pupil is taking a course for high school credit, regardless of whether the pupil will also receive postsecondary credit, and if the course is not comparable to a course offered in the school district.

Require DWD to reimburse school districts for 50% of the cost of tuition if the pupil is taking a course for postsecondary credit and if the course is not comparable to a course offered in the school district.

Joint Finance/Legislature: Delay creation of the early college credit program and restoration of the part-time open enrollment program until 2018-19 and as a result, delete \$1,150,300 GPR in 2017-18. (See "Public Instruction" for full summary of this item.)

[Act 59 Sections: 400, 1396, and 1566]

9. APPRENTICESHIP COORDINATOR FOR REENTRY POPULATION

Governor: Require DWD to designate an employee of the Department to serve as an apprenticeship coordinator to expand and streamline apprenticeship program offerings for inmates in correctional facilities in Wisconsin. The effective date of this provision would be October 1, 2017, or on the day after publication of the bill, whichever is later.

Joint Finance/Legislature: Delete provision as a non-fiscal policy item.

10. MOBILITY GRANT STUDY

Governor: Require DWD, if funds are available from the Department's workforce investment and assistance federal appropriation, to allocate \$50,000 in the 2017-19 biennium to conduct a study regarding the feasibility of establishing a program, using a social impact bond model, to assist claimants for unemployment insurance benefits by offering them mobility grants to relocate to areas with more favorable employment opportunities. While the bill does not define the term "social impact bond," the term typically refers to an alternative method for obtaining and providing public services which incorporates pay-for-performance contracting into the provision of social services.

Joint Finance/Legislature: Delete provision as a non-fiscal policy item.

11. AGRICULTURAL EDUCATION AND WORKFORCE DEVELOPMENT COUNCIL TRANSFER

Governor/Legislature: Transfer the Agricultural Education and Workforce Development Council from the Department of Agriculture, Trade and Consumer Protection (DATCP) to DWD. Specify that the Council executive committee is to include the DWD Secretary or his or her designee. The provision does not otherwise modify the membership or duties of the Council.

The Council does not receive direct appropriations of state funding. Transfer the PR appropriation dedicated to gifts and grants received by the Council from DATCP to DWD. [See "Agriculture, Trade and Consumer Protection."]

[Act 59 Sections: 35, 191, 192, 401, and 1238]

Other Programs

1. TRANSFER WORKERS COMPENSATION HEARINGS POSITIONS TO THE DEPARTMENT OF ADMINISTRATION [LFB Paper 695]

	Governor (Chg. to Base) Positions	Jt. Finance/Leg. (Chg. to Gov) Positions	Net Change Positions
SEG	- 5.50	1.00	- 4.50

Governor: Transfer 5.5 positions from the Division of Worker's Compensation to the Department of Administration's (DOA) Division of Hearings and Appeals. Transfer \$363,600 annually from salary and fringe to supplies, to pay DOA for the 5.5 positions.

On the effective date of the bill, specify that 5.5 FTE positions and the incumbent DWD employees holding those positions, who perform duties relating to worker's compensation hearings, as determined by the DOA Secretary, would be transferred to DOA. The administration indicates that these positions consist of: (a) 1.0 attorney position; (b) 1.5 legal associates; (c) 2.0 office operations associates; and (d) 1.0 workers compensation assistant.

Provide that transferred employees would have the same rights and status related to state employment relations under Chapter 230 of the statutes that the employee held immediately before the transfer. Transferred employees who have attained permanent status would not be required to serve a probationary period.

Funding associated with the positions would not be reduced from DWD's segregated worker's compensation operations administration appropriation, but rather reallocated to supplies and services to pay charges assessed by DOA. DWD's worker's compensation operations administration appropriation is supported with fees assessed upon and collected from worker's compensation carriers. [See "Administration -- Transfers."]

The 2015-17 biennial budget act transferred not less than 18.0 full-time equivalent (FTE) administrative law judge (ALJ) positions, and the incumbent DWD employees holding those positions, to DOA's Division of Hearings and Appeals. In determining the number of ALJ positions to be transferred, the DOA Secretary was instructed to ensure that not less than 6.0 FTE ALJ positions and 2.0 FTE legal support staff positions remain at DWD.

Joint Finance/Legislature: Modify the Governor's recommendation to transfer 4.5 positions instead of 5.5 positions from DWD to DOA. Maintain 1.0 computation technician position in DWD's Worker's Compensation Claims Monitoring Unit instead of transferring the position to DOA. Decrease the funding provided to DOA, from DWD, by \$65,600 PR annually. In DWD, transfer \$308,600 annually from salary and fringe to supplies, instead of \$363,600 under the bill, to pay DOA for the 4.5 transferred positions.

[Act 59 Section: 9151(3)]

2. WORKER'S COMPENSATION POSITIONS [LFB Paper 696]

Positions	
SEG	5.00

Governor: Provide 5.0 SEG positions annually under DWD's worker's compensation operations administration appropriation. The appropriation is supported with fees assessed upon and collected from worker's compensation carriers. Base funding for this appropriation is \$12,823,500 SEG and 61.30 SEG positions. The administration indicates that there is adequate expenditure authority within the appropriation to fund the additional positions.

Joint Finance/Legislature: Approve the Governor's recommendation to add 5.0 positions to DWD's Division of Worker's Compensation. In addition, transfer \$275,000 from supplies and services to salaries and fringe to permanently fund the positions.

3. UNEMPLOYMENT INSURANCE POSITIONS

Positions	
FED	- 7.00

Governor/Legislature: Delete 7.0 positions annually from DWD's unemployment insurance administration federal appropriation. No funding is deleted associated with the positions. The Department estimates that less federal funding will be deposited into this appropriation for the 2017-19 biennium. [See separate entry "Federal Appropriations Reestimates."]

4. TRANSFER CERTAIN ADMINISTRATIVE APPEALS FUNCTIONS FROM LABOR AND INDUSTRY REVIEW COMMISSION [LFB Paper 425]

Governor: Transfer responsibility for administrative review of administrative decisions related to unemployment insurance and equal rights from the Labor and Industry Review Commission (LIRC) to the DWD Administrator of the Division of Unemployment Insurance and the DWD Administrator of the Division of Equal Rights, respectively. Currently, administrative decisions related to unemployment insurance and equal rights are made by administrative law judges in the Division of Unemployment Insurance and the Division of Equal Rights at DWD. Currently, those decisions can be appealed to LIRC. Eliminate LIRC effective January 1, 2018, or on the first day of the sixth month after the effective date of the budget act, whichever is later.

Under current law, unemployment insurance and equal rights monies are received from the federal government by DWD as FED and are transferred to LIRC as PR. On the effective date of the elimination of LIRC, modify the following DWD appropriations to remove language which authorizes the Department to transfer funding to the appropriation accounts under LIRC: (a) FED unemployment insurance administration; and (b) FED equal rights. On the effective date of the elimination of LIRC, DWD would retain all FED monies that would have otherwise transferred to LIRC. No additional position authority is granted to DWD to support the additional administrative review responsibilities acquired by the Department.

Require that a person who wants to file an appeal of an unemployment insurance or equal rights decision made by an administrative law judge at DWD, could file a petition for review by

LIRC within 21 days after the effective date of the budget bill. On the effective date of the budget bill, a person could choose to file a petition with the DWD Administrator of the Division of Unemployment Insurance or the DWD Administrator of the Division of Equal Rights. As of 21 days after the effective date of the budget bill, a person would have to file a petition with the Administrator of the appropriate DWD Division instead of with LIRC.

Authorize DWD to promulgate any rules necessary to provide for review of unemployment insurance decisions. Under current law, DWD is authorized to promulgate rules necessary to provide for review of equal rights decisions.

Authorize DWD to promulgate emergency rules to provide for review of administrative decisions under the provision. Notwithstanding current law procedures for promulgating rules, DWD would not be required to provide evidence that promulgating the rule as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare, and would not be required to provide a finding of emergency for promulgating the rule. The emergency rules promulgated under the provision would remain in effect for two years after they become effective, or until the date on which permanent rules take effect, whichever is sooner, and the effective date of the emergency rules could not be extended.

Provide that any of LIRC's assets and liabilities, tangible personal property, records, contracts, orders, and pending matters related to unemployment insurance and equal rights would be transferred to DWD on the effective date of the elimination of LIRC. All contracts entered into by LIRC that are primarily related to unemployment insurance and equal rights would remain in effect and be transferred to DWD. DWD would be required to carry out the obligations of the contract until the contract is modified or rescinded by DWD to the extent allowed under the contract. All orders issued by LIRC would remain in effect until their specified expiration date or until modified or rescinded by DWD. All pending matters related to unemployment insurance and equal rights submitted to or actions taken by LIRC with respect to the pending matter would be considered as having been submitted to or taken by the Administrator of the Division of Unemployment Insurance or the Administrator of the Division of Equal Rights.

Require DWD to maintain a searchable, electronic database of significant unemployment insurance decisions made by administrative law judges and the administrator. Authorize DWD (but do not require) to include in the database decisions of LIRC that were required to be maintained in the database under current law. Currently, LIRC is required to maintain a searchable, electronic database of significant unemployment insurance decisions made by LIRC.

Joint Finance/Legislature: Delete the provision. Delete 7.8 vacant positions at the Labor and Industry Review Commission (LIRC) and request the Chief Justice of the Supreme Court to conduct a survey of decisions and orders of LIRC related to unemployment insurance, equal rights and worker's compensation [See "Labor and Industry Review Commission."]

Veto by Governor [B-23]: Delete the provision that requests the Chief Justice of the Supreme Court to conduct a survey of LIRC decisions and orders.

[Act 59 Vetoed Section: 9142(5f)]

5. INDEXING PAYMENT AND PERFORMANCE BOND THRESHOLDS FOR CERTAIN PUBLIC PROJECTS

Joint Finance/Legislature: Delete the requirement that DWD index dollar amounts for certain cost thresholds at which various types of payment and performance assurances are required in contracts for state and local government projects, as currently regulated under Chapter 779 of the statutes, entitled "Liens." Set the dollar amounts involved in the contracts for certain public projects at their current indexed levels and eliminate future indexing.

Eliminate future indexing of the cost threshold amounts related to payment and performance assurance requirements in contracts with the state for performing, furnishing, or procuring labor, services, materials, plans, or specifications for a public improvement or public work. Establish in statutes the current dollar amount for contracts to which varying payment and performance assurance requirements apply, as follows: (a) exceeding \$16,000 but not exceeding \$148,000; (b) exceeding \$148,000 but not exceeding \$369,000; or (c) exceeding \$369,000.

Eliminate future indexing of the cost threshold amounts related to payment and performance assurance requirements in contracts with local governments for performing, furnishing, or procuring labor, services, materials, plans, or specifications for a public improvement or public work. Establish in statutes the current dollar amount for contracts to which varying payment and performance assurance requirements apply, as follows: (a) exceeding \$16,000 but not exceeding \$74,000; (b) exceeding \$74,000 but not exceeding \$148,000; or (c) exceeding \$148,000.

Eliminate indexing of the \$30,000 cost threshold amount related to the requirement that contracts that are for performing, furnishing, or procuring labor, services, materials, plans, or specifications for a public improvement or public work, must contain a provision under which the prime contractor agrees to maintain a list of all subcontractors, suppliers, and service providers performing, furnishing, or procuring labor, services, materials, plans, or specifications under the contract.

[Act 59 Sections: 2229j thru 2229t]

6. REPEAL PREVAILING WAGE

Governor: Eliminate the state prevailing wage law for state building projects and state highway projects. Building and highway projects utilizing at least \$2,000 in federal funds would remain subject to the federal prevailing wage rates as determined by the U.S. Department of Labor under the Davis-Bacon Act.

Generally, under current law, laborers, workers, mechanics, and truck drivers employed on the site of certain projects of public works: (a) must be paid the prevailing wage rate, as determined by the U.S. Department of Labor under the federal Davis-Bacon Act; and (b) may not be required or permitted to work a greater number of hours per day and per week than the prevailing hours of labor, which is no more than 10 hours per day and 40 hours per week, unless they are paid 1.5 times their basic rate of pay (commonly referred to as overtime pay) for all

hours worked in excess of the prevailing hours of labor. The prevailing wage laws include two separate laws: (a) a state prevailing wage law that applies to certain projects of public works to which the state or any state agency is a party; and (b) a state highway prevailing wage law that applies to projects under a contract based on bids to which the state is a party for the construction or improvement of highways. The 2015-17 biennial budget act repealed the state prevailing wage law that applied to local projects of public works (counties, villages, towns, cities, school districts, municipal utilities and technical colleges) effective January 1, 2017. State prevailing wage requirements apply to any single-trade project of public works for which the estimated project cost of completion is more than \$48,000 or any multiple-trade project of public works for which the estimated project cost of completion is more than \$100,000. A "single trade project" is defined as one in which a single trade (such as a carpenter, glazier, or electrician) accounts for 85% or more of the total labor cost of the project. A "multiple-trade project" is defined as one in which no single trade accounts for more than 85% of the total labor cost of the project. The Department of Administration (DOA) administers and enforces the state prevailing wage law other than for state highway projects, which is administered and enforced by the Department of Transportation (DOT).

Retain the current law prohibition against local governments enacting or administering their own prevailing wage laws or similar ordinances. Currently, a local governmental unit may not enact and administer an ordinance or other enactment requiring laborers, workers, mechanics, and truck drivers employed on projects of public works, or on publicly funded private construction projects, to be paid the prevailing wage rate and to be paid at least 1.5 times their hourly basic rate of pay for hours worked in excess of the prevailing hours of labor or any similar ordinance or enactment.

Retain current law provisions related to DWD's authority to receive and investigate wage claims related to state and local projects which were subject to state prevailing wage requirements. Further, retain the Department's authority to file suit against an employer and refer wage claim cases to district attorneys in the Department's attempt to equitably adjust controversies between employers and employees.

Retain current law provisions related to the prohibition of substance abuse for employees that perform work on projects of public works. Further, retain current law provisions associated with this prohibition which specify conditions an employee must meet to commence or return to work on a project of public works or a public utility project.

Specify that for a project of public works that is subject to bidding, the prevailing wage repeal first applies to a project for which the request for bids is issued on or after the effective date of the bill.

Specify that for a project of public works that is not subject to bidding, the prevailing wage repeal first applies to a contract that is entered into on or after the effective date of the bill.

Joint Finance/Legislature: Modify the Governor's recommendation to specify that these provisions take effect on September 1, 2018.

Veto by Governor [E-95]: Delete the September 1, 2018, effective date. As a result of

this veto, the prevailing wage repeal first applies to a project of public works on or after the effective date of 2017 Act 59.

[Act 59 Sections: 164, 178, 179, 981, 993 thru 996, 1222, 1223, 1384 thru 1391, 1395, 1444, 1452, 1453, 1762, 1769, 2249, 2262, 9352(3), and 9452(2w)]

[Act 59 Vetoed Section: 9452(2w)]

7. PROJECT LABOR AGREEMENTS

Governor: Prohibit DOA and municipalities from engaging in certain practices during certain public bidding. For DOA, this would relate to the solicitation of bids, competitive sealed proposals and simplified bids for state procurement, and bids for state construction projects. For municipalities, this would relate to the solicitation of bids for a public contract. Prohibit DOA and municipalities from doing any of the following as part of the bidding process or a contract: (a) require that a bidder enter into or adhere to an agreement with a labor organization; (b) consider as a factor in making an award under this section whether any bidder has or has not entered into an agreement with a labor organization; and (c) require that a bidder enter into, adhere to, or enforce any agreement that requires, as a condition of employment, that the bidder or bidder's employees become or remain members of, or be affiliated with, a labor organization or pay any dues, fees, assessments, or other charges or expenses of any kind or amount, or provide anything of value, to a labor organization or a labor organization's health, welfare, retirement, or other benefit plan or program.

Define "agreement with a labor organization" to mean any agreement with a labor organization, including a collective bargaining agreement, a project labor agreement, or a community workforce agreement.

Define "bidder" to mean a person that is submitting a bid or a competitive sealed proposal or that is seeking an award.

Under current law for public contracts, "municipality" means the state or a town, city, village, school district, board of school directors, sewer district, drainage district, technical college district or other public or quasi-public corporation, officer, board or other public body charged with the duty of receiving bids for and awarding any public contracts.

Under current law, "public contract" means a contract for the construction, execution, repair, remodeling or improvement of a public work or building or for the furnishing of supplies or material of any kind, proposals for which are required to be advertised for by law.

Under current law, "labor organization" means any employee organization in which employees participate and which exists primarily for the purpose of engaging in collective bargaining with any employer concerning grievances, labor disputes, wages, hours or conditions of employment, or the promotion and advancement of the professional or occupational standards and the welfare of its members and families and any organization established for the same purposes composed of individuals or affiliates of any such employee organization.

Specify that employers or employees would not be prohibited from entering into agreements or engaging in any other activity protected by the National Labor Relations Act. For example, it would remain permissible for a private general contractor to attach an agreement with a labor organization (project labor agreement) to a government contract after winning a bid.

Specify that these provisions would first apply to bids or proposals solicited on the effective date of the bill.

Joint Finance/Legislature: Delete provision as a non-fiscal policy item. This provision was introduced as a separate bill and enacted as 2017 Act 3.

8. CREATE AN ALTERNATIVE SETTLEMENT PROCEDURE FOR EQUAL RIGHTS COMPLAINTS

	Governor (Chg. to Base)	Jt. Finance/Leg. (Chg. to Gov)	Net Change
GPR	\$10,000	- \$10,000	\$0

Governor: Create statutory offers of settlement procedures for resolving complaints involving violations of Wisconsin's fair employment law, family and medical leave law, or bone marrow and organ donation leave law, hereafter referred to as "selected equal rights laws." Although the bill attaches \$10,000 to this item in 2017-18, there is no indication in the bill of the purpose of the funding.

Under current family and medical leave law, an employee who believes that their employer has violated certain rights under the law, may file a complaint with DWD alleging the violation. Unless the investigation and determination of probable cause of the complaint is waived by the complainant, the Department investigates the complaint and attempts to resolve the complaint by conference, conciliation or persuasion. Under current bone marrow and organ donation leave law, an employee who believes that their employer has violated certain rights under the law, may file a complaint with DWD alleging the violation. The Department investigates the complaint and attempts to resolve the complaint by conference, conciliation or persuasion.

Currently, for family and medical leave law and bone marrow and organ donation leave law, if the complaint is not resolved and DWD finds probable cause to believe a violation has occurred, the Department must proceed with notice and a hearing on the complaint. The hearing shall be held within 60 days after the Department receives the complaint. The bill authorizes the parties to also attempt to resolve the complaint through offers of settlement, as prescribed in the bill.

Under current fair employment law, if DWD finds probable cause to believe that any discrimination has been or is being committed, that unfair honesty testing has occurred or is occurring, or that unfair genetic testing has occurred or is occurring, it may attempt to eliminate the practice by conference, conciliation, or persuasion. If DWD is unable to eliminate the

discrimination, unfair honesty testing, or unfair genetic testing the Department issues and serves a written notice of a hearing before an examiner. The bill authorizes the parties to also attempt to resolve the complaint through offers of settlement, as prescribed in the bill.

Under current fair employment law, if the hearing examiner finds that the respondent has engaged in discrimination, unfair honesty testing, or unfair genetic testing, the examiner shall make written findings and order an action by the respondent in accordance with the fair employment law, with or without back pay liability. The bill provides that no attorney fees or costs be awarded to a complainant under the fair employment law if no reinstatement, monetary relief, or other substantive or tangible benefit is ordered.

Definitions

"More favorable award" would mean an order under selected equal rights laws to which either of the following applies: (a) the order includes an order of reinstatement, or for some other substantive or tangible benefit besides a mere finding that the law was violated, that was not provided for in a settlement offer made under this section; or (b) the order includes a monetary award to the complainant that, exclusive of the complainant's pre-offer costs and post-offer costs, exceeds the compensation provided for in a settlement offer made under this section.

"Prejudgment interest" would mean interest at an annual rate equal to one percent plus the prime rate in effect on the date of the settlement offer.

"Pre-offer costs" and "post-offer costs" would include reasonable attorney fees, filing fees, subpoena fees, copying costs, court reporter fees, reasonable investigative costs, reasonable travel expenses, and all other similar fees and expenses related to litigating the complaint.

Offers of Settlement

Provide that unless otherwise specified, a settlement offer is an offer to resolve all claims between the parties. Specify that settlement offers must be construed as including all compensation that may be awarded under selected equal rights laws or in a civil action under selected equal rights laws.

Specify that at any time between 10 days after a complaint is filed under selected equal rights laws and 10 days prior to commencement of a hearing under those laws, any party may serve an offer upon any other party to the action for settlement to be entered in accordance with the terms and conditions stated at that time. Specify that a settlement offer must satisfy all of the following: (a) be in writing; (b) identify parties making the offer and the parties to whom the offer is made; (c) identify generally the claim the offer is attempting to resolve; (d) state the terms and conditions of the offer; (e) state the deadline by which the offer must be accepted; (f) include a provision that requires the accepting party and, if the accepting party is represented by an attorney, the accepting party's attorney, to indicate acceptance of the offer by signing a statement that the offer is accepted; (g) be signed by the offeror or the offeror's attorney of record; (h) include a certificate of service and be served by certified mail; (i) be served on all parties to whom the offer is made; and (j) include one of the following:

(1) If the complainant is making the offer, the statement "In accordance with and subject to the offers of settlement statutes, if this offer is not accepted and a more favorable award is obtained by the complainant, prejudgment interest will attach to the final award from the date this offer was received."

(2) If the respondent is making the offer, the statement "In accordance with and subject to the offers of settlement statutes, if this offer is not accepted and the complainant fails to obtain a more favorable award, the respondent will be entitled to post-offer costs and fees, including attorney fees, from the date this offer was received."

Provide that a settlement offer may be made subject to a confidentiality requirement and such other reasonable conditions, including the execution of appropriate releases, indemnities, and other documents, as are typical of such settlement agreements.

Specify that all terms and conditions included in a final and fully executed settlement agreement are presumed to be reasonable.

Provide that if a settlement offer is declined by the offeree because of a condition the offeree believes to be unreasonable, and the condition is later determined by the Department to be unreasonable under the circumstances of the case, the offer may not be the basis for an award of post-offer costs or prejudgment interest.

Specify that if a complainant fails to obtain a more favorable award, the monetary amount in the settlement offer shall be considered reasonable.

Provide that service of a settlement offer suspends the offeror's obligations regarding discovery, responsive pleadings, and other investigative and litigation obligations until one of the following occurs: (a) the offeree accepts or declines the offer as provided under the "*Accepting or Declining an Offer*" section below; or (b) if the offer expires as provided under the "*Accepting or Declining an Offer*" section below, the offeree acknowledges receipt of the offer in writing, with the signature of the offeree and, if the offeree is represented by an attorney, the offeree's attorney.

Specify that a settlement offer may be withdrawn in writing at any time prior to acceptance by the offeree. Once withdrawn, the offer is void.

Provide that any settlement offer, the acceptance or declination of any such offer, and any negotiations related to such offers may not be proffered or accepted as evidence nor mentioned in a hearing under selected equal rights laws or in any other proceedings relating to the claim, except as provided under "*Evidence of a Declined Settlement Offer*."

Accepting or Declining an Offer of Settlement

Require that any acceptance of a settlement offer shall be in writing, be promptly delivered to the offeror or the offeror's attorney, and include the signature of the accepting party and, if represented, the accepting party's attorney. Upon acceptance, the parties are obligated to enter into good faith negotiations to memorialize the terms of the settlement and execute documents necessary to effectuate the settlement. Specify that if a settlement offer is accepted, the parties

shall promptly file with DWD a notice that settlement has been reached between the parties, together with the complainant's request for dismissal of the complaint, and the Department shall enter the settlement and dismissal of the complaint accordingly.

Require that any declination of a settlement offer shall, be in writing, be promptly delivered to the offeror or the offeror's attorney, and include the signature of the offeree and, if represented, the offeree's attorney. If a settlement offer is not accepted or declined prior to a hearing or within 10 days after it is served, whichever occurs first, the offer shall expire and shall be deemed declined.

Consequences of Not Accepting a Settlement Offer

Provide that if a respondent's settlement offer is not accepted and the complainant fails to obtain a more favorable award, the complainant shall not recover any post-offer costs and shall pay the respondent's post-offer costs from the date of the offer. In addition, specify that the complainant would be required to pay a reasonable sum to cover the costs of services of any expert witness who is not a regular employee of any party that are actually incurred and reasonably necessary in preparation for the hearing or during the hearing. Provide that this provision supersedes any statute awarding post-offer costs and fees to a prevailing complainant. Specify that if a respondent's settlement offer is not accepted and the complainant fails to obtain a more favorable award, the respondent's post-offer costs (including costs of expert witness services) would be deducted from any award made in favor of the complainant. Further, specify that if the post-offer costs of the respondent exceed the amount awarded to the complainant, the net amount shall be awarded to the respondent and the award shall be entered accordingly.

Specify that if a complainant's settlement offer is not accepted and the complainant obtains a more favorable award, the Department must: (a) award prejudgment interest on the final award from the date of the offer; and (b) require the respondent to pay a reasonable sum to cover the costs of services of any expert witness who is not a regular employee of any party that are actually incurred and reasonably necessary in preparation for the hearing or during the hearing, in addition to the complainant's costs.

Evidence of a Declined Settlement Offer

Provide that after DWD makes an order under selected equal rights laws, either party may make a subsequent motion to introduce evidence of a valid settlement offer made under this section that was declined. Require that the motion must be made within 10 business days after the date of the award and must identify the parties in the offer, who made the offer, the amount of the offer, the date of the offer, and the date it was declined. Require that the motion also identify the effect the declined offer has on the final award and how the Department should proceed. Provide that a nonmoving party may file a response to the motion within five business days after the movant files the motion.

Other Provisions

Provide that police officers must be permitted to testify as expert witnesses for the purposes of this section. For purposes of this section, "complainant" includes a cross-

complainant and "respondent" includes a cross-respondent.

Joint Finance/Legislature: Delete provision as a non-fiscal policy item. Delete \$10,000 GPR in 2017-18.

9. DELETE UNANIMOUS VOTE REQUIREMENT

Governor/Legislature: Specify that, if the DWD Division of Equal Rights finds, instead of currently finds by unanimous vote, that an employee of a governmental unit filed a frivolous complaint regarding certain retaliatory actions against the employee due to a disclosure of certain information. It appears this is a technical correction of language dating from the time certain responsibilities were transferred from the former Personnel Commission to the Division of Equal Rights, when the Personnel Commission used to take certain actions by unanimous vote.

[Act 59 Section: 1767]

10. STUDY ON CHRONIC ABSENTEEISM AND PUBLIC ASSISTANCE

Governor/Legislature: Require DWD to collaborate with other agencies to prepare a report on the population overlap of families that receive public benefits and children who are absent from school for ten percent or more of the school year. The other agencies involved in the report would include the Departments of Children and Families, Health Services, and Public Instruction, and any other relevant programs or agencies the departments identify as appropriate. Require the report to be submitted on or before December 30, 2018, to the Governor and appropriate standing committees of the Legislature.

[Act 59 Section: 9152(1)]