



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-2492/1  
MED:cdc

## 2023 ASSEMBLY BILL 151

April 7, 2023 - Introduced by Representatives O'CONNOR, GUNDRUM, ROZAR, PENTERMAN, PETRYK, GREEN, DONOVAN, MOSES, EDMING, BINSFELD, DITTRICH, MURPHY, PLUMER, KNODL, MACCO, BODDEN, PETERSEN, WICHGERS and RETTINGER, cosponsored by Senators FEYEN, BRADLEY and FELZKOWSKI. Referred to Committee on Labor and Integrated Employment.

**AN ACT** *to renumber and amend* 106.11; *to amend* 106.11 (title) and 109.07

(1m) (a); and *to create* 106.11 (2) of the statutes; **relating to:** workforce metrics.

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### ***Analysis by the Legislative Reference Bureau***

This bill requires any state agency or authority that operates, coordinates, or oversees a workforce development program or activity, as defined in the bill, to track and report, at least annually, on the performance of that workforce development program or activity, using the primary indicators of performance under the federal Workforce Innovation and Opportunity Act. These performance indicators are: 1) the percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program; 2) the percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program; 3) the median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program; 4) the percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent during participation in or within one year after exit from the program; 5) the percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward

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such a credential or employment; and 6) the indicators of effectiveness in serving employers.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

This is a preliminary draft. An analysis will be provided in a subsequent version of this draft.

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

**SECTION 1.** 106.11 (title) of the statutes is amended to read:

**106.11 (title) Workforce investment programs; metrics.**

**SECTION 2.** 106.11 of the statutes is renumbered 106.11 (1) (a) and amended to read:

106.11 (1) WORKFORCE INVESTMENT. (a) The department shall cooperate with the federal government in carrying out the purposes of the federal Workforce Investment Act of 1998, ~~29 USC 2801 to 2945~~ Innovation and Opportunity Act of 2014, 29 USC 3101 to 3361. In administering the programs authorized by that act, the department shall, in cooperation with other state agencies and with local workforce development boards established under 29 USC ~~2832~~ 3122, establish a statewide workforce investment system to meet the employment, training, and educational needs of persons in this state.

(b) If a local workforce development board anticipates that there may be a business closing or mass layoff under s. 109.07 in the area served by that board, the board may prepare a list of resources available in that area that provide career planning, job search, job skills training, and other support services for affected employees, as defined in s. 109.07 (1) (a), including contact information for those resources, for distribution to those employees under s. 109.07 (1m) (a).

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**SECTION 3.** 106.11 (2) of the statutes is created to read:

106.11 (2) WORKFORCE DEVELOPMENT METRICS. (a) In this subsection:

1. “Workforce development program or activity” means any program or coordinated activities funded in whole or in part by the state, whether by using state or federal funds, that does any of the following within this state:

- a. Promotes or provides job training or work readiness services.
- b. Assists individuals with looking for wage-earning work in this state.
- c. Assists with or otherwise facilitates job placement within the state.

2. “Workforce development program or activity” includes all of the following, in addition to what is specified under subd. 1.:

- a. The Transform Milwaukee Jobs program and Transitional Jobs programs under s. 49.163.
- b. The department of corrections’ initiatives to reintegrate offenders into the community.
- c. The employment and training program administered by the department of children and families under s. 49.79 (9).
- d. The Wisconsin Works program administered by the department of children and families under ss. 49.141 to 49.161.

(b) 1. Any state agency or authority that operates, coordinates, or oversees a workforce development program or activity shall, subject to subd. 2., do all of the following:

- a. Track and report on the performance of the workforce development program or activity, using the primary indicators of performance specified under 29

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USC 3141 (b) (2). The agency shall make or update the report required under this subd. 1. a. at least annually.

b. Publish the data under subd. 1. a. through a single, state-maintained website.

2. A state agency is not required to do any of the following under subd. 1.:

a. Report data on minors.

b. Report on the performance of a workforce development program or activity to the extent that such reporting would violate confidentiality requirements under federal law.

(c) The department shall assist state agencies to comply with par. (b).

**SECTION 4.** 109.07 (1m) (a) of the statutes is amended to read:

109.07 (**1m**) (a) Subject to sub. (5) or (6), an employer that has decided upon a business closing or mass layoff in this state shall promptly notify the subunit of the department that administers s. 106.15, any affected employee, any collective bargaining representative of any affected employee, and the highest official of any municipality in which the affected employment site is located, in writing of such action no later than 60 days prior to the date on which the business closing or mass layoff takes place. The notice to an affected employee shall also include contact information for the local workforce development board under 29 USC 2832 serving the area in which the employment site is located and, if available, the list of resources prepared under s. 106.11 (1)(b). The employer shall provide in writing all information concerning its payroll, affected employees, and the wages and other remuneration owed to those employees as the department may require. The

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department may in addition require the employer to submit a plan setting forth the manner in which final payment in full shall be made to affected employees.

**(END)**