

State of Misconsin 2023 - 2024 LEGISLATURE

LRB-2721/1 MED:cdc

## **2023 SENATE BILL 234**

April 14, 2023 - Introduced by Senators FEYEN, BRADLEY and FELZKOWSKI, cosponsored by Representatives O'CONNOR, BINSFELD, BODDEN, DITTRICH, DONOVAN, EDMING, GREEN, GUNDRUM, KNODL, MACCO, MOSES, MURPHY, PENTERMAN, PETERSEN, PETRYK, PLUMER, ROZAR, WICHGERS and RETTINGER. Referred to Committee on Economic Development and Technical Colleges.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

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

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

3 metrics.

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

### **SENATE BILL 234**

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

# 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:

### 2 **106.11** (title) Workforce investment programs<u>; metrics</u>.

3 SECTION 2. 106.11 of the statutes is renumbered 106.11 (1) (a) and amended to 4 read:

106.11 (1) WORKFORCE INVESTMENT. (a) The department shall cooperate with  $\mathbf{5}$ 6 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 7 8 2014, 29 USC 3101 to 3361. In administering the programs authorized by that act, 9 the department shall, in cooperation with other state agencies and with local 10 workforce development boards established under 29 USC 2832 3122, establish a 11 statewide workforce investment system to meet the employment, training, and 12educational 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).

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

20 106.11 (2) WORKFORCE DEVELOPMENT METRICS. (a) In this subsection:

2023 - 2024 Legislature

### **SENATE BILL 234**

1	1. "Workforce development program or activity" means any program or
2	coordinated activities funded in whole or in part by the state, whether by using state
3	or federal funds, that does any of the following within this state:
4	a. Promotes or provides job training or work readiness services.
5	b. Assists individuals with looking for wage-earning work in this state.
6	c. Assists with or otherwise facilitates job placement within the state.
7	2. "Workforce development program or activity" includes all of the following,
8	in addition to what is specified under subd. 1.:
9	a. The Transform Milwaukee Jobs program and Transitional Jobs programs
10	under s. 49.163.
11	b. The department of corrections' initiatives to reintegrate offenders into the
12	community.
13	c. The employment and training program administered by the department of
14	children and families under s. 49.79 (9).
15	d. The Wisconsin Works program administered by the department of children
16	and families under ss. 49.141 to 49.161.
17	(b) 1. Any state agency or authority that operates, coordinates, or oversees a
18	workforce development program or activity shall, subject to subd. 2., do all of the
19	following:
20	a. Track and report on the performance of the workforce development program
21	or activity, using the primary indicators of performance specified under $29~\mathrm{USC}~3141$
22	(b) (2). The agency shall make or update the report required under this subd. 1. a.
23	at least annually.
24	b. Publish the data under subd. 1. a. through a single, state-maintained
25	website.

- 3 -

2023 – 2024 Legislature

### **SENATE BILL 234**

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

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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.

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

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

8 109.07 (1m) (a) Subject to sub. (5) or (6), an employer that has decided upon 9 a business closing or mass layoff in this state shall promptly notify the subunit of the 10 department that administers s. 106.15, any affected employee, any collective 11 bargaining representative of any affected employee, and the highest official of any 12municipality in which the affected employment site is located, in writing of such 13action 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 14 15information for the local workforce development board under 29 USC 2832 serving 16 the area in which the employment site is located and, if available, the list of resources 17prepared under s. 106.11 (1) (b). The employer shall provide in writing all 18 information concerning its payroll, affected employees, and the wages and other 19 remuneration owed to those employees as the department may require. The 20department may in addition require the employer to submit a plan setting forth the 21manner in which final payment in full shall be made to affected employees.

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(END)