

Fiscal Estimate Narratives

DWD 3/14/2017

LRB Number	17-1142/1	Introduction Number	SB-103	Estimate Type	Original
Description Exemption of bona fide administrative, executive, and professional employees from the overtime pay requirements of the wage and hours laws, extending the time limit for emergency rule procedures, providing an exemption from emergency rule procedures, providing an exemption from rule-making procedures, and requiring the exercise of rule-making authority					

Assumptions Used in Arriving at Fiscal Estimate

Current administrative rules promulgated within the Department of Workforce Development require employers to pay employees overtime pay of 1.5 times their pay rate for hours worked in excess of 40 per week. Included in these rules are exemptions for employees whose primary duties involve administrative, executive, and professional work. Under the promulgated rules, administrative, executive, and professional employees are defined as those who do not devote more than 20 percent of their hours worked to work activities that are administrative, executive, or professional in nature and those individuals compensated on a salary basis at a rate not less than \$700 a month, or \$750 a month for professional employees.

This bill requires the Department of Workforce Development to redefine an exempt employee by setting the compensation threshold at \$970 a week and replacing the 20 percent rule with a requirement that an employee's primary responsibilities be administrative, executive, or professional work. The bill also requires DWD, by the first day of the 18th month after the bill's effective date, and annually thereafter, to promulgate emergency rules that revise the compensation threshold to reflect annual percent changes in the consumer price index.

Administratively, DWD could absorb complaints arising from the changes without hiring Equal Rights officers to investigate them. DWD can also absorb costs arising from the new requirement to promulgate added administrative rules. On an annual basis however, DWD would need \$5,000 to modify existing publications that define employment laws.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2017 Session

Detailed Estimate of Annual Fiscal Effect

Original
 Updated
 Corrected
 Supplemental

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I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes	\$	\$	
(FTE Position Changes)			
State Operations - Other Costs	5,000		
Local Assistance			
Aids to Individuals or Organizations			
TOTAL State Costs by Category	\$5,000	\$	
B. State Costs by Source of Funds			
GPR	5,000		
FED			
PRO/PRS			
SEG/SEG-S			
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)			
	Increased Rev	Decreased Rev	
GPR Taxes	\$	\$	
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
TOTAL State Revenues	\$	\$	
NET ANNUALIZED FISCAL IMPACT			
	<u>State</u>	<u>Local</u>	
NET CHANGE IN COSTS	\$5,000	\$	
NET CHANGE IN REVENUE	\$	\$	
Agency/Prepared By		Authorized Signature	Date
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