



**Wisconsin State AFL-CIO** ...the voice for working families.

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## WISCONSIN STATE AFL-CIO

### Losses to Working Families Under Governor Walker (as of February 1, 2012)

This summary covers some of the major losses for middle income and working class families at this point in the administration of Governor Scott Walker. It details how the public policies promoted by the Walker administration represent a radical departure from Wisconsin values and traditions.

Most of the losses were included in the 2011-2013 Biennial State Budget offered by Governor Walker and supported by the Republican-controlled legislature. The State Budget represents much more than cold statistics—it is an expression of priorities and values. It reveals what matters most to an administration and it represents policy choices that have consequences for the people of Wisconsin. In addition to policies in the State Budget, some of the losses are the result of separate legislation signed into law, or the result of executive decisions made by Governor Walker.

#### Loss of Fundamental Freedoms

**Loss of the Freedom to Bargain Collectively.** As of June 29, 2011, it is illegal for approximately 175,000 Wisconsin public employees to engage in real collective bargaining with their employers on wages, benefits and working conditions.<sup>1</sup> This action destroyed over 50 years of solid relationships built between public employees and the state, local governments and school districts for which they work. For private sector employees, the democratic right to bargain is guaranteed under federal law since 1935, but public employees rely on state law to protect their freedom of association which is an essential principle of American democracy. This freedom is now denied in Wisconsin.

**Barriers to Voting.** Wisconsin has enacted some of the toughest barriers to voting in the country.<sup>2</sup> New restrictive procedures include: requiring an official photo ID, making voter registration and absentee voting more complicated, and shortening by half the period allowed for early voting, among other obstacles. The barriers will essentially deny the right to vote for many seniors, people with disabilities, students, people of color and low-income voters, especially because studies indicate they are much less likely to have the photo ID now required. The new barriers to this core democratic right are expected to discourage and disenfranchise thousands of voters. Since the groups mentioned above tend to vote Democratic in higher percentages, the voting law changes will benefit Republican candidates.

## Loss of Family-Sustaining Jobs

**Job Loss Continues.** Official statistics indicate that *Wisconsin has lost jobs for six months in a row*—from July to December 2011—for a total of 35,600 jobs lost in the second half of the year. This stands in dramatic contrast to consistent job growth at the national level. (It was in July 2011 that Governor Walker's 2011-2013 State Budget went into effect.) No other state lost that many jobs. Throughout all of 2011, Wisconsin had a paltry gain of 3,200 jobs.<sup>3</sup> In fact, *Wisconsin had the lowest economic growth of any state in the nation* from July 1 to October 2, 2011, according to a report issued by the Federal Reserve Bank of Philadelphia.<sup>4</sup> This is based on non-farm employment, average hours worked in manufacturing, the unemployment rate, and wages and salaries. Governor Walker promised to create 250,000 jobs during his first term; instead his policies are doing serious damage to the state's economy.

**Rejection of \$810 Million in Federal Rail Funds.** Governor Walker rejected \$810 million in federal funds to construct a passenger rail system between Milwaukee and Madison. The Wisconsin DOT estimated that the following number of construction and engineering workers would be employed to build the rail network: (2011) 2,792 jobs; (2012) 3,794 jobs; and (2013) 1,231 jobs.<sup>5</sup> Talgo Inc. established a manufacturing plant in Milwaukee specifically to produce passenger cars for the new Wisconsin rail service, as well as other states. As a result of the Governor's decision, Talgo announced that it will shut down its Milwaukee train manufacturing operations in 2012, leaving only a maintenance facility.<sup>6</sup> This does not include the loss of jobs that would have been created by future economic development along the rail line.

**Private Sector Jobs Lost from Attack on Unions and Cuts to State Budget.** There are ripple effects on private sector jobs from the policies of Governor Walker, job losses which are less well known. In just a one-year period, the following *full-time job loss in the private sector* is projected: about 5,400 jobs from budget cuts to state and local services; about 1,200 jobs from the cuts directed at individuals; about 6,900 jobs from the cuts in public employee compensation; and about 4,700 jobs from the various forms of federal aid rejected by the Governor.<sup>7</sup>

**Eliminating Support for Jobs Related to Energy Conservation.** The Green to Gold Fund was eliminated, which offered \$100 million in lower cost state loans to manufacturers to retool and expand production related to clean energy. It required specific wage standards as a condition of the loan to help create better paying jobs. The Office of Energy Independence was abolished as well.<sup>8</sup> One of its directives was to "become a national leader in groundbreaking research that will make alternative energy more affordable and create new, good-paying jobs in Wisconsin." The goal of these initiatives was to save money and reduce Wisconsin's reliance on foreign oil by generating 25% of its electric power and transportation fuels from renewable resources by 2025.

**Apprenticeship Opportunities Limited.** Former Governor Doyle signed Executive Order #108 which required the employment of more young apprentices on state-funded construction projects. This was to encourage the skill training of future workers in the building and construction trades. Enforcement of the Order was suspended by Governor Walker.<sup>9</sup>

**Governor Supports Unfair International Trade Agreements That Send More Jobs Overseas.** Governor Walker signed a letter to Congress from various governors urging approval

of the trade agreements between the U.S. and Colombia, Panama and South Korea.<sup>10</sup> The letter also urged Congress to restore fast-track authority (which prohibits amendments) for quick approval of all future agreements. The agreements with Colombia and South Korea are projected to eliminate or displace another 214,000 U.S. jobs.<sup>11</sup> (In addition to concerns about job loss, 51 union activists were murdered in Colombia in 2010.<sup>12</sup>) The U.S. Labor Department documents that Wisconsin lost 82,000 net manufacturing jobs due to the North American Free Trade Agreement (NAFTA) and the World Trade Organization (WTO).<sup>13</sup> The labor movement supports global trade but the rules of that trade are *negotiated*. Trade agreements should be balanced and protect labor standards, not promote only the interests of multi-national corporations.

## Loss of Employment Protections & Benefits

**New Waiting Period for Unemployment Insurance.** As of January 1, 2012, there is a one-week waiting period before an unemployed worker can collect unemployment benefits.<sup>14</sup> According to the Legislative Fiscal Bureau, workers are expected to lose approximately \$41 million to \$56 million in benefits due to the waiting period. Wisconsin has experienced six straight months of job loss since July 2011, yet unemployment benefits are made more difficult to access.

**Child Labor Exploitation.** Wisconsin had a tradition of strong child labor laws to protect minors from abuse by employers, and prevent work schedules from interfering with a good education. These laws have been weakened by eliminating most of the protective limits on the hours, number of days per week, and times of day that employers can schedule minor 16 or over to work (except when they are in school), essentially treating them no differently than adults. The time that employers can schedule minors under 16 to work are expanded as well.<sup>15</sup>

**Denying Workers Paid Sick Days.** It is now illegal for a local government to pass an ordinance that requires employers in its jurisdiction to provide better leave benefits than the state Family & Medical Leave Act.<sup>16</sup> Though this prohibition applies to all communities, it is in reaction to a City of Milwaukee sick leave ordinance which required employers to provide a certain number of paid sick days. The ordinance was approved by 69% of voters in a 2008 referendum, but it is now null and void. The state Family and Medical Leave Act does not require any paid sick days.

## Transfer of More Wealth to the 1%

Governor Walker insists the state is broke and justifies denying public employees their fundamental freedom to collectively bargain in order to address the deficit. It is now clear that the deficit was exaggerated for political purposes, because **massive new tax breaks for corporations and wealthy investors passed since January 2011 will cause an additional loss of \$2.3 billion in revenue to state government over the next 10 years.**<sup>17</sup> These new tax breaks were enacted despite the fact that two corporate-funded studies show: (1) that businesses in Wisconsin already pay less in taxes (income, property and sales taxes) than the national average; and (2) Wisconsin has the 4<sup>th</sup> lowest effective tax rate (taxes actually paid) in the country for new business investment.<sup>18</sup> The following are some examples of new tax breaks for wealthy investors and corporations:

**Re-opening a Corporate Tax Loophole.** The Las Vegas Loophole was closed by former Governor Doyle by changing the way the corporate income tax is calculated. A system of “combined reporting” prevents multi-state firms from hiding profits in subsidiaries in states with no corporate income tax, like Nevada. Governor Walker is modifying combined reporting to partially reopen a loophole for corporations to use pre-2009 losses to offset profits for 20 years. This will **cost taxpayers \$46.4 million** in fiscal years 2011-13 alone. *This new corporate tax loophole does not require that a company create or retain a single job in order to qualify.* The Department of Revenue is also prohibited from challenging certain corporate tax avoidance strategies.

**Breaks for Wealthy Investors.** There is a new exclusion from the income tax for capital gains reinvested in Wisconsin businesses within 180 days. (Capital gains are already taxed at a special lower rate than income earned through work. Most capital gains tax breaks benefit those with \$200,000 or more in income.) This will **cost taxpayers \$36.3 million** in fiscal years 2011-13 alone. *Though this is an investment in Wisconsin firms, the tax break does not actually require that a company or investor create or retain even one job in order to qualify.*

Still another new capital gains tax break is created for the rich who invest in Wisconsin-based businesses and hold those investments for at least five years, which will **cost taxpayers \$79 million** in annual loss to the state’s treasury when it is fully phased in after 2017. *This break does not require any job to be created or retained.*

**Manufacturer & Agribusiness Income Tax Phased Out.** A new production activities tax credit is created that will essentially wipe out the corporate income tax on manufacturing and agribusiness in Wisconsin when it is fully phased in. It represents a **loss to taxpayers of \$359.7 million** over the years 2012-2017 and will cost **\$128.7 million each year** after that. *This massive give-away of taxpayer funds to corporations does not require that even one job be created or retained.*

**Tax Break for Junk Mail.** A new sales and use tax exemption for advertising and promotional direct mail is created, which will be a **loss to taxpayers of \$500,000 per year** beginning in 2013-14. *There are no job-creation requirements attached.*

### **Taxes Increased on Low-Income Wisconsinites**

**Earned Income Tax Credit.** While the rich get still more breaks, taxes are increased on 145,000 low-wage workers with children by cutting \$55.6 million from the Earned Income Tax Credit.<sup>19</sup> The EITC is an anti-poverty program that was originally created with bipartisan support because it rewards work, supplements a minimum wage that is inadequate for survival and helps families stay off public assistance.

**Homestead Tax Credit.** Thousands of seniors will pay higher property taxes because the annual adjustment of the Homestead Tax Credit based on inflation is repealed.<sup>20</sup> This reduces the tax credit by \$13.6 million in just the first two years. Nearly a third of people receiving this credit are at least 66 years old, and more than half of all recipients have less than \$15,000 per year in income. More than 75,000 older Wisconsinites rely on the Homestead Tax Credit to help them afford to stay in their homes. This credit was pioneered in Wisconsin in 1964 to offset the

cost of property taxes for modest-income residents, particularly the elderly and renters. Seniors—particularly those living solely on Social Security—will suffer the most from this cut.

## Loss of Quality Public Education

**Extreme Cuts in Funding of Public Schools.** Total revenue for Wisconsin's public schools is cut by \$1.6 billion over two years. This is the largest loss of K-12 funding in Wisconsin's history and the third deepest cut per student in the nation.<sup>21</sup> The loss comes from the combination of a \$794 million cut in direct state aid, plus the strict controls on property tax revenue that can be raised by local communities to fund their schools.

**More Taxpayer Funding of Private Schools.** At the same time that public schools are starved for resources, the private school voucher program is given a blank check from taxpayers to subsidize an unlimited number of students who live in the City of Milwaukee. It is also expanded to Racine.<sup>22</sup> Taxpayers pay \$6,442 per voucher for a child to attend a private school, including religious schools. Families can earn up to 300% of the poverty level (\$67,050) and still receive taxpayer-funded vouchers. Wisconsin taxpayers have already spent \$1.14 billion to fund vouchers covering fiscal years 1990-91 to 2010-11.<sup>23</sup> After this 20-year experiment, national studies show "no clear academic benefit for voucher users" over the public school system.<sup>24</sup> Yet, substantially more public money is again diverted from the public school system to private voucher schools with no real accountability to taxpayers.

**Cut in Aid for Wisconsin Technical College System.** Technical colleges are facing higher enrollment at the same time state aid is being cut. The 2011-13 State Budget cut \$71.6 million (a deep 30% cut) in funding for Wisconsin's technical colleges at a time when this vital and respected workforce training system serves 400,000 students and is essential to any economic recovery. The technical college levy was also frozen, which denies tech colleges the flexibility they need to serve growing demand. Wisconsin employers are warning about a lack of skilled workers for the technologically sophisticated manufacturing jobs that are currently available.<sup>25</sup> Budget cuts to technical education of this magnitude will only make the skill shortage worse and drive more manufacturers out of the state to find the labor they need.

**UW System Cut.** State aid to the University of Wisconsin System is cut by \$250 million and tuition increases of 5.5% in each of two years are authorized.<sup>26</sup> Based on this increase, undergraduate tuition and fees at UW-Madison are \$9,672 for Wisconsin residents in 2011-2012 and \$25,421 for non-residents. This does not include books, lodging and other costs. The current level of financial aid is frozen. Students from middle class and working class families are being squeezed out of higher education. The state once paid for two-thirds of educating a student in our publicly-supported UW System; now students pay two-thirds of the expense.<sup>27</sup> Students will take longer to graduate because courses and staff have been cut. They will need more help from their already financially-stressed parents, and will incur even more debt. The cuts to the UW System are some of the largest in the nation for higher education—and there is an additional \$46 million cut being considered as of January 2012.<sup>28</sup>

**Access to Education.** The Wisconsin Covenant Program, created under Governor Doyle, is phased out as of September 2011.<sup>29</sup> This program allowed young people who maintained at least a "B" average in high school and took college prep courses to apply for grants ranging from \$250 to \$2,500 per semester in financial assistance for higher education. More than 71,000

students had been inspired to sign up but the pledge of assistance from the state is now withdrawn.

In addition, the children of undocumented immigrants had been allowed to pay the resident tuition rate to attend the UW System or a technical college—if they were graduates of a Wisconsin high school, lived in the state for at least three years, and proved they applied for a visa. This right did not cost taxpayers a dime, but it is repealed. These students must pay non-resident tuition which is significantly higher.<sup>30</sup> This will deny deserving youth access to a technical college or university education—a mean-spirited policy change with no savings for the state.

### **Loss to Local Communities**

**Funds Cut to Communities.** Local communities will feel the effects of \$76.8 million in state aid cuts to the Shared Revenue Program.<sup>31</sup> Since 1911, Wisconsin has made it a priority to share with local communities a portion of the taxes collected by the state. This helps local governments provide quality community services while holding down property taxes. Cuts in Shared Revenue will cascade into cuts in local public services.

**Regional Transit Authorities.** All of the newly-created Regional Transit Authorities (Dane County RTA, Southeastern Wisconsin RTA, Chippewa Valley RTA and Chequamegon Bay RTA) are repealed.<sup>32</sup> They were authorized under the Doyle administration to modernize Wisconsin's transit systems.

**Transportation Aid.** Local governments have lost millions in general transportation aid. This state aid is vital for communities to help maintain and repair local streets and roads, absorb rising fuel costs and cover snow removal. According to the Legislative Fiscal Bureau, the actual effect is a reduction in state aid to local governments of \$29.4 million in each calendar year of 2011 and 2012.<sup>33</sup> Aid for mass transit systems in communities is also cut by \$9.6 million statewide.<sup>34</sup>

**Recycling Aid.** State aid for popular recycling programs run by local communities was cut \$24.2 million over two years.<sup>35</sup> These constructive programs not only conserve resources and protect the environment, but they save communities money by reducing costs for landfill waste disposal.

### **Loss of Health Care Coverage**

**BadgerCare & Medicaid.** Some 780,000 Wisconsinites rely on BadgerCare for their health coverage. Nearly two-thirds of the Medicaid budget covers health care for the elderly and those with disabilities. Republicans in the legislature gave the Walker administration sweeping authority to cut approximately \$500 million from these programs with no opportunity for input by the public.<sup>36</sup> A final decision on the depth of cuts and how various programs will be affected is pending at this time.

**Family Care.** The Walker administration capped enrollment in the popular Family Care program. This program serves about 43,400 elderly and disabled people in over 50 counties who receive long-term care in their homes rather than in institutions. Approximately 6,700 individuals were on a waiting list as of November 2011.<sup>37</sup> The Obama administration directed

Governor Walker to remove the cap on enrollment since Family Care receives about 60% of its funding from the federal government. Legislation (SB 380/AB 477) to repeal the enrollment cap is under consideration.

**Women's Health Care.** State aid to women's healthcare centers run by Planned Parenthood has been effectively eliminated.<sup>38</sup> Over 12,000 uninsured women in small communities across the state receive their preventive health care from these centers, including cancer screenings, birth control and treatment for sexually-transmitted diseases.

**Federal Health Care Funds Refused.** The Walker administration announced that it will reject a \$38 million federal grant to help create a "health insurance exchange" in Wisconsin.<sup>39</sup> This is an essential step in preparing to implement the federal Affordable Care Act in our state, which will gradually extend affordable health care coverage to all. In December 2011 the Governor suspended all state planning to implement the Affordable Care Act—at the same time that more Wisconsinites are losing their health coverage through job loss and the Governor is cutting funding for Medicaid and BadgerCare health programs.

### **Loss of Citizen Access to the Courts**

**Victims Denied Their Day in Court.** People who are seriously injured by a defective product or corporate negligence will find it much more difficult to get beyond the courthouse steps. Changes have been made in the liability laws (called tort reform) that will protect business interests over victims: (1) Nursing homes and health care facilities can deny families certain reports about the neglect and abuse of patients and residents so the documents cannot be used in court. (2) The amount of damages that a jury can award to victims when a corporation has been grossly negligent is capped at one of the lowest amounts in the country. (3) Victims who are severely injured by defective products are allowed to sue the seller of the product only if they can prove that the manufacturer cannot be found—a complicated procedure given global production. (4) Corporations are not liable for products that cause injury if the company followed current regulations, even if their own research indicated a serious problem, or current regulations are far out of date. (5) Attorneys will find it difficult to be compensated for their time spent on consumer protection cases due to new limits placed on court-awarded fees. This will make it harder for victims to hire competent legal counsel.

These are just five examples of numerous new limits to corporate liability.<sup>40</sup> Governor Walker received an award from the U.S. Chamber of Commerce for his tort reform success. The Chamber has bankrolled a nationwide effort to limit the right of Americans to a jury trial and limit the liability of corporations for harm done to workers and consumers.

### **Loss of Honest, Clean and Open Government**

**Integrity of Civil Service System Eroded.** Wisconsin's landmark civil service system was one of the first in country. It was created in 1905 in response to political corruption and to protect against cronyism and exercise of arbitrary, unaccountable power by an executive. Under the civil service system, government employees are hired based on competitive recruitment, objective criteria and qualifications, and cannot arbitrarily be fired. Governor Walker has removed 38 top-level state agency positions from long-standing civil service protection and will

fill the jobs with his political appointees.<sup>41</sup> Some of the positions are involved in responding to public requests, including those made under the Open Records Law for information on government decisions and policies. The general counsel to the Wisconsin Employment Relations Commission has been removed from civil service protection as well. This agency makes the sensitive, final decisions on disputes between public employees and the state as an employer. These positions will be politicized because individuals can now be fired by the Governor. This action has absolutely nothing to do with saving the state money, but it does concentrate more power in the hands of Governor Walker.

**Sweeping Authority to Cut Health Benefits.** Governor Walker and his appointed head of the Department of Health Services grabbed unprecedented authority to rewrite all the Medicaid health programs, including BadgerCare, without public input.<sup>42</sup> These vital programs serve some 780,000 Wisconsinites with various forms of health care. Prior to the Governor's power grab, such changes would trigger public hearings and be debated and voted on by the legislature.

**Governor to Determine Implementation of Laws.** One of the most alarming examples of how Governor Walker has consolidated power in the executive branch relates to his takeover of the "administrative rules process." After a law is passed there remain many details concerning how the law will be implemented and enforced. These decisions are made through the rules process which has been a national model in providing legislative checks and balances. Under the long-standing process, a state agency would draft a proposed rule, hold a public hearing and often revise the rule based on public input. It would then be referred to the legislature for further review, public input and possible revision before it was sent to the Governor. These administrative rules have the force of law.

Governor Walker used the cover of his so-called "Special Session on Jobs" to pass legislation that radically changes the respected rules process.<sup>43</sup> Approval of the Governor is now the *first* step in the rules process before any further action—beginning with approving the scope of the rule the agency will develop. Nothing requires the Governor to actually move forward on a proposed rule sent to him by an agency. By simply sitting on a rule, the Governor can prevent the effective implementation of a law. Corporate lobbyists will be able to influence any rule with just one stop in the Governor's office.

**Government for Sale.** The availability of public financing for qualified candidates for State Supreme Court, Governor, Lieutenant Governor, Attorney General, State Treasurer, Secretary of State, Superintendent of Public Instruction, State Senate and State Assembly has been repealed.<sup>44</sup> The purpose of the Wisconsin Election Campaign Fund and the Democracy Trust Fund was to reduce a candidate's reliance on wealthy special interests, as well as help make it affordable for ordinary people to run for office. Candidates will be denied these public financing options at the same time the U.S. Supreme Court, through its decision in the *Citizens United* case, has allowed corporations to flood elections with mega-millions to influence the outcome.

**New Legislative Districts Rigged to Elect Republicans.** States are required to redraw legislative district maps every 10 years based on updated figures from the U.S. Census, to ensure that districts are of equal population. This process is called redistricting. The boundaries drawn for Wisconsin's 99 Assembly districts and 33 Senate districts will determine the candidates we can vote for in the elections to be held from 2012 to 2020. Republicans drew legislative boundaries for the new districts that will give their candidates a huge advantage in future

elections.<sup>45</sup> The Milwaukee Journal Sentinel reacted in an editorial: "...it's rare to see such overt disregard for bipartisanship and such a blatant power grab."<sup>46</sup> A lawsuit challenging the rigged Republican redistricting maps has been filed in federal court.

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