
Investing for Jobs and Opportunity:

A Plan for Wisconsin's Veterans

Mary Burke - July 3, 2014



Table of Contents

1. A Note from Mary
2. Veterans Equal Pay Protection
3. Veterans Employment
4. Eligibility for Admission to Veterans Homes
5. Expand Efforts to Secure Federal Funding
6. Restore Veterans' Rights to Justice
7. Restore Grassroots Input in WDVA Policy Making

A note from Mary

Wisconsin has a long, proud tradition of honoring its men and women who serve in the military—as well as their families. For many years, both the benefits we provided to those who served and the grassroots participation of veterans in the provision of those benefits were models for other states. Sadly, that is no longer the case.

I believe that the veterans' community embodies the very best of who we are and what we stand for in Wisconsin. Every man and woman who has served in uniform is a vital asset to the future of this state. To honor their service, we must commit ourselves to managing veterans' programs in fiscally responsible but creative ways that ensure we keep our commitments and are not forced to reduce benefits. We must take full advantage of the spirit and insight of the people of Wisconsin by ensuring grassroots input into the policies of the Wisconsin Department of Veterans Affairs.

Over the last four years, we haven't always lived up to those commitments. The Wisconsin Department of Veterans Affairs has reduced grassroots input by abolishing the County Veterans Service Officers Advisory Council and the advisory committees of the Board of Veterans Affairs. Perhaps most alarmingly, other legislation has reduced protections for veterans as it relates to pay discrimination and asbestos exposure.

As Governor, I will stand up for veterans. I will do everything in my power to ensure that our veterans are getting all the assistance they need in finding meaningful employment and a quality education. I will look for ways to enable the admission of veterans of the Wisconsin National Guard at our veterans' homes. I will restore grassroots participation in the governance of veterans programs by recreating the CVSO Advisory Council. And I will work to repeal legislation that reduces vital legal protections for veterans. Wisconsin's veterans and their families deserve no less.

- *Mary Burke*

Veterans Equal Pay Protection

Background

In April 2012, Governor Walker signed a bill that repealed Wisconsin's Equal Pay Enforcement Act, a law that allowed victims of wage discrimination to seek less costly, more accessible redress in state courts. Walker's repeal stripped enhanced pay equity protections for a number of protected classes of individuals, including veterans.

Although federal protections exist, federal law only allows veterans to sue for back pay, not for punitive damages or other types of compensatory damages, putting veterans in a less protected position than many other victims of wage discrimination. A February 2012 memo from a staff attorney at the Wisconsin Legislative Council spelled out the limited options for veterans in federal courts.

The need for veterans to have this type of protection is clearly shown in a recent study by the Center for American Progress. Even those veterans who make it through college and return to civilian life earn almost \$10,000 less per year on average than other college-educated adults.

Issue

Our veterans in Wisconsin deserve equal pay for equal work – Wisconsin's Equal Pay Act served as a real deterrent of wage discrimination.

Proposal

As Governor, I will work to reinstate the Equal Pay Enforcement Act for veterans and all other protected classes.

Sources

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Veterans Employment

Background

With 16,000 unemployed veterans, Wisconsin has the 10th highest veteran unemployment rate in the country at 7.6%, above the national unemployment rate for veterans of just 6.6%.

Nationwide, more than 75% of veterans report “an inability to effectively translate their military skills to civilian terms” while 61% of employers in a 2007 survey reported not having “a complete understanding of the qualifications ex-service members offer.”

Higher education is a vital part of helping unemployed veterans enter the job market. However, veterans of all eras have unique needs in regards to obtaining access to the GI Bill education benefits they have earned as a result of their service. Many veterans find it challenging to cope with the day to day complexities that they encounter while attending institutions of higher learning, including medical issues, family reunification issues, post-traumatic stress, and employment.

Even those veterans who make it through college and return to civilian life earn almost \$10,000 less per year on average than other college-educated adults.

Since announcing my candidacy last October, I have talked to veterans firsthand to better understand the issues facing our veterans in Wisconsin. These experiences informed my thinking on the topic and convinced me that as a state, we can and must do better.

Issue

The State of Wisconsin needs to work harder to ensure that veterans receive the education and training that they need in order to find good-paying jobs when they return home from service and transition into civilian life. We can also improve the morass of bureaucracy of the many veterans programs by creating clearer channels to access them for veterans, businesses, and colleges in Wisconsin.

Proposal

As Governor, I will restore committees that were part of the Wisconsin Department of Veterans Affairs that allowed participation by veterans from around the State. These

committees will ensure that those who are affected have a voice in finding ways to help. I will also add another committee specifically dedicated to Veteran Employment and Education that will focus on increasing access and improving the programs that exist in Wisconsin to help our veterans in employment and higher education.

I will also create a University Services Program Ombudsman in the Wisconsin Department of Veterans Affairs. The ombudsman position will work with the Veteran Employment and Education Committee. The ombudsman will focus on acting as a clearinghouse for veterans and colleges to access the many state and federal programs in Wisconsin. By ensuring veterans are able to find mentor programs, tuition assistance, employment assistance, and VA counseling, this position will help improve the graduation and job placement rates for veterans in Wisconsin.

Sources

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Eligibility for Admission to Veterans Homes

Background

In 2013, when Governor Walker signed Act 20 into law he permitted admission to Wisconsin Veterans Homes for those who were not residents of Wisconsin at the time they applied for this benefit. (See Section 45.51 (6m) of the Wisconsin Statutes). This was done ostensibly to improve occupancy rates at the Wisconsin Veterans Home at King and to enhance revenue received from the United States Department of Veterans Affairs in per diem payments for residents.

The large majority of residents of the Veterans Homes also receive Title XIX (USC) Medical Assistance payments that are roughly 40% funded by state General Purpose Revenue (GPR). Presumably, Wisconsin would be required by law to pay for this portion of Medical Assistance for those formerly residing out of state.

Many members of the Wisconsin National Guard and Wisconsin Reserves have served on at least 90 days active duty for training purposes (like basic training), but many have not served for this much time on active duty other than for training (such as deployment). As such, they are disqualified from admission to Wisconsin's Veterans Homes. (See Section 45.51 (2) (a) 2 of the Wisconsin Statutes in conjunction with Section 45.01 (2)).

A complete analysis of Governor Walker's action is available in the Legislative Fiscal Bureau's Budget Paper #702.

Issue

Governor Walker prefers to allow admission to the Wisconsin Veterans Homes for veterans from other states rather than change the eligibility requirements to permit members of the Wisconsin National Guard and Reserves to gain admission. The need to increase occupancy could be addressed by allowing Guard and Reserve members, rather than out of state residents, admission to the homes but with a relatively small decrement in per diem received. Wisconsin would not then be forced to spend state General Purpose Revenue to support people from other states.

Proposal

Convene a task force to analyze the potential effects, including cost, of (1) changing the definition of a veteran for admission to veterans homes to allow consideration of Guard and Reserve members; and (2) for veterans who reside out-of-state at the time of application for admission, requiring that excess space be available and no Wisconsin General Purpose Revenue be used to support them.

Source

Wisconsin Legislative Fiscal Bureau. 2013-2015 Budget Paper #702, Priority for Admission to Veterans Homes (Veterans Affairs — Veterans Homes, Cemeteries, and Memorials). Retrieved from <http://legis.wisconsin.gov/lfb/publications/budget/2013-15%20Budget/Documents/Budget%20Papers/702.pdf>.

Expand Efforts to Secure Federal Funding

Background

Federal funding supports many of the benefits and services that the Wisconsin Department of Veterans Affairs (WDVA) provides. These include veterans homes, veterans cemeteries, construction grants, and many education programs. Accordingly, managers at WDVA work quite frequently with their federal counterparts. WDVA does not, however, have an office to coordinate these disparate efforts and explore federal opportunities for additional programs and support. Section 16.54 (8) of the Wisconsin Statutes specifically permits an agency to request that the Governor create a full-time equivalent position (FTE) in its budget for this purpose.

In the Department of Administration (DOA) the Federal Aid Management Service, established by Section 16.545 of the Wisconsin Statutes has as its mission "...to initiate contacts with the Federal Government for the purpose of facilitating participation by agencies...in federal aid programs, to assist those agencies in applying for such aid and to facilitate influencing the federal government to make policy changes that will be beneficial to this state." The Wisconsin Department of Veterans Affairs does not use the services of this agency because DOA personnel simply do not have either the contacts or the expertise necessary to address the many different veterans programs.

Issue

Despite the importance of federal funding in the provision of benefits and services to veterans, WDVA has not created an office to coordinate contacts with the Federal Government and to discover new federal funding opportunities.

Proposal

Require that WDVA establish an Office of Federal Liaison to work in concert with the Federal Aid Management Service.

Restore Veterans' Rights to Justice

Background

Many Wisconsin veterans were unknowingly exposed to asbestos during their military service, and many others were exposed to asbestos while working civilian jobs in factories, plants, shipyards, and mills. Roughly 30% of mesothelioma cases in the state involve military veterans even though veterans make up only 8% of the population.

For many years, courts ruled in favor of victims of mesothelioma, including veterans. However, 2013 Act 154 imposed a number of additional hurdles that make it much more difficult for victims of mesothelioma to seek justice. Act 154 requires plaintiffs in asbestos cases to disclose any claims as well as all potential claims against all applicable trusts before taking any company to court, drastically shortens the amount of time a plaintiff has to file a formal case and potentially delays the time in which that case would be brought to trial. This places additional burdens on those who were injured and in some cases plaintiffs could die before their cases make it through the lengthened court process.

Issue

Governor Walker turned his back on Wisconsin veterans by signing Act 154, a law which makes it much more difficult for asbestos victims to seek justice and compensation. The new law appears to have been based on model legislation developed by the American Legislative Exchange Council (ALEC) and places the interests of corporations ahead of the needs of veterans. The Wisconsin American Legion, the Military Order of the Purple Heart, and Veterans of Foreign Wars—groups who collectively represent more than 100,000 Wisconsin veterans—all opposed this law.

Proposal

Support measures to repeal 2013 Act 154. I will advocate and organize support to repeal this law that delays and denies justice to veterans and other victims of asbestos-related diseases.

Sources

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Restore Grassroots Input in WDVA Policy Making

Background

Act 36 in 2011 amended Section 15.05 of the Wisconsin Statutes to provide for gubernatorial nomination of the Secretary of the Wisconsin Department of Veterans Affairs, and it amended Section 15.49 to place the Wisconsin Board of Veterans Affairs under the supervision and direction of the Secretary of the Wisconsin Department of Veterans Affairs. The Governor's appointee for Secretary then abolished four bodies that had long advised the Board. These included the standing committees of the Board, each of which was chaired by a Board member but comprised of many members of the veterans community who were not Board members. He also abolished the County Veterans Service Officers Advisory Council, which had long provided nonpartisan advice to the Board regarding issues arising in Wisconsin's counties.

The stated rationale for abolishing these veterans-related bodies was to cut costs. The Board and all of its associated councils and committees had traditionally met at least quarterly in various locations throughout the state. It was incumbent upon the Department to pay the travel expenses of the members of these bodies.

Act 36 of 2011 also eliminated the participation of Wisconsin National Guard and Reserve members from the Board and as Secretary. As a result, only Active Duty veterans can be appointed to the Board or as Secretary of the WDVA.

Issue

Governor Walker's Department of Veterans Affairs has diverged from a long-standing policy of public openness and has reduced input from the public and the veterans community, greatly reducing transparency and credibility.

The act of denying equal participation of the Guard and Reserve in the WDVA has created two classes of veterans in our State. Their honorable service both in military preparedness and in cases of state emergency is invaluable. They are also participants in many services and programs of the WDVA and should have an equal voice in the Department.

Proposal

Require that, at a minimum, the Secretary of the Department of Veterans Affairs recreate the County Veterans Service Officers Advisory Council, a Council on Long Term Care to provide veteran input on the operations of the Wisconsin Veterans Homes, and any other committees necessary to ensure veteran input is obtained from around the State in WDVA programs, policies, and operations. All forms of media shall be used to minimize costs, such as phone, video, and web conferencing. Eliminate the language that only Active Duty veterans may serve on the WDVA Board or as WDVA Secretary, allowing all of Wisconsin's veterans to be part of the WDVA.

Source

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