

WELCOME
12th Annual Legislative Conference
November 6th, 2025

Share your takeaways from today using #WASS2025 and #Wisconsinworks & follow WASS

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6.25 CE

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THE QTI GROUP

This conference is eligible for 6.25 CE hours.

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A few housekeeping items...

Exhibitor Passport & Raffle

Exhibitor Passport

Collect stamps from each exhibitor in the Exhibit Hall. After collecting all the stamps, drop in designated passport into the Raffle. Raffle drawings will take place during closing ceremony.

Must be present to win. Make sure to add your name on all.

Sign here and drop in the raffle ball before the final session.

Print Name: _____
Company: _____

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WASS Board of Directors

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 Mike Lovell Staff On Site	 Jason Lovell The QTI Group				

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WSS Today's Agenda

- 8:45 AM **Strategies to Safeguard your Firm in 2026: Annual Legislative Update**
Toby Malara, American Staffing Association
- 10:15 AM **Manage Your Risk, Drive Your Profits: A Fireside Chat**
Jeff Tuisl, T2 Insurance Solutions | Scott Ravanesi, MMA
- 11:15 AM **HR Panel: Client Clash or Perfect Match**
Cheryl Brah, Helwig Carbon | Mary Felder, Midwest Refrigerated | Rob Greenup, Novonesis
- 12:15 PM **"Payroll Fraud" Ted Talk w/ TRICOM**
(Lunch) Julie Ann Bittner, TRICOM
- 12:45 PM **The Hard Hat View from the CEO: A Round Table Discussion**
Mike Duffek, Duffek Construction | Phil Malliet, Hayes Performance | Manuel Merkt, Haimer USA
- 1:45 PM **A Sneak Peek at DWD 2026: A Workforce Development Update**
Deputy Secretary Pamela McGilivray, DWD
- 3:00 PM **Think Fast, Work Well: Training Recruiting Professionals to Communicate Effectively**
Dr. Nicole Eull, CEO, Vistage

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Thank you!

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WSS Wisconsin Association of Staffing Services

Annual Legislative Update
Strategies to Safeguard Your Firm in 2026

Toby Malara, Esq.,
Vice President Government Relations
American Staffing Association

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2026 Legislative Conference

Wisconsin Association of Staffing Services
November 6, 2025

ASA American Staffing Association

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Congress



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119th Congress



- **House of Representatives**
 - **Republicans: 219**
 - **Democrats: 214**
 - **Vacant: 2 (TN-7 and TX-18)**
- **United States Senate**
 - **Republicans: 53**
 - **Democrats: 47**

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Congress


- **Congress Passes The One Big Beautiful Bill Act**
 - Key Provisions for the Staffing Industry
 - QBITD made permanent.
 - ICHRA classification for temporary employees maintained
 - Preservation of per diem plans maintained
 - Other Provisions of Interest
 - Immigration Policy changes
 - Extension of 2017 tax cuts
 - Elimination of taxes on tips and overtime
 - SALT deduction
 - Medicaid reforms

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Congress

- **Government Shutdown**
 - Entering 4th Week
 - House passed clean CR, blocked in Senate
 - Democrat demands:
 - Extension of ACA premium tax credits
 - Rollback of Medicaid cuts in OBBB
 - No further rescission bills from White House
 - Possible End of Year Legislation Issues
 - Continuing Resolution
 - Tax Issues
 - Health Care Issues

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Trump Administration



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Trump Administration



- **Executive Orders: Flurry from the start**
 - Immigration: Worksite audits, revoking of temporary protected statuses, requests from clients.
 - DEI Policies: Clients' reaction, staffing firms own internal policy
 - Return to Office for Federal Workers: Reaction in private sector
 - Federal Workforce Hiring Freeze
 - AI: Revoked previous AI Executive Order. Leaves issue to state legislatures
 - Energy: Declared energy emergency. Paused clean power initiatives

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Trump Administration



- **Department of Labor**
 - Semiannual Regulatory Agenda
 - Joint Employer Status under the FLSA
 - Employee Classification under the FLSA
- **Department of Homeland Security**
 - H1-B Visas
 - Increase of fee to \$100,000
 - Proposed regulations to change criteria
 - Immigrations and Customs Enforcement
 - Increased enforcement actions
 - Increased funding, open during shutdown

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Trump Administration



- **E-Verify+**
 - The goal of E-Verify+ is to:
 - Shift burden of validating employee's authorization to work from the employer to the employee;
 - Do so within an electronic I-9 tool embedded within the E-Verify system; and
 - Once an employee has their employment authorization validated in E-Verify+, they would not have to keep redoing the E-Verify process at each employer.
 - Positives of the Program:
 - Streamlines the I-9 process
 - Saves time and money for staffing companies.

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Trump Administration



- **E-Verify+**
 - Concerns with the Program
 - System is not yet fully developed for various scenarios, including:
 - Employee presents a receipt for replacement of a lost, stolen or damaged document;
 - Employee does not yet have a Social Security Number;
 - Federal Government is shut down
 - No guidance on how an employer could avoid running E-Verify on a new hire that had been previously validated through E-Verify+.
 - No clear guidance how these electronic I-9s would be stored and accessed in the event of a future I-9 audit.

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Trump Administration

- **Potential Future Executive Orders**
 - Immigration: More orders that could have a more direct impact on labor supply
 - Tariffs: Drive up domestic production? Cause economic chaos?
- **Agency Actions**
 - New rules could be promulgated
- **Independent Agencies**
 - Pro-Labor agenda likely to grind to a halt
- **Potential Roadblocks**
 - Congress, Courts, Lame Duck Status

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States



American Staffing Association

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States

- **States focusing on issues Congress not interested in**
 - Paid leave
 - Wage/pay transparency
 - Data collection
 - Artificial intelligence in employment context
- **States weighing in on administration policies**
 - DEI initiatives
 - Return to work
 - Immigration
- **States looking to be less reliant on federal government**




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States

- **Top legislative issues in 2025**
 - AI in the Workplace
 - Automated Employment Decision Tools
 - Wage and Hour
 - Pay transparency
 - Pay Equality
 - Data collection
 - Race and Gender information about employees
 - Predictive Scheduling
 - Healthcare Staffing
 - Noncompete agreements
 - Conversion Fees



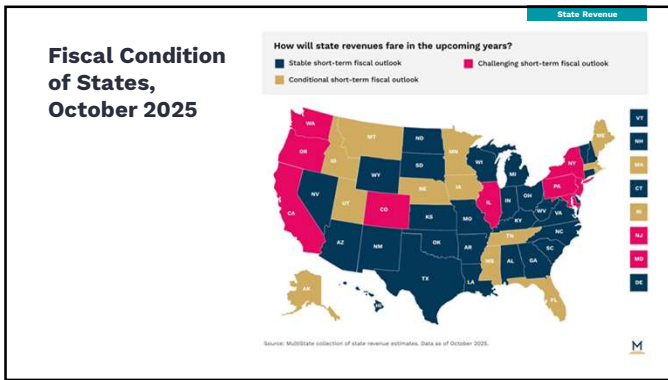

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Wisconsin, OBBB and Taxes

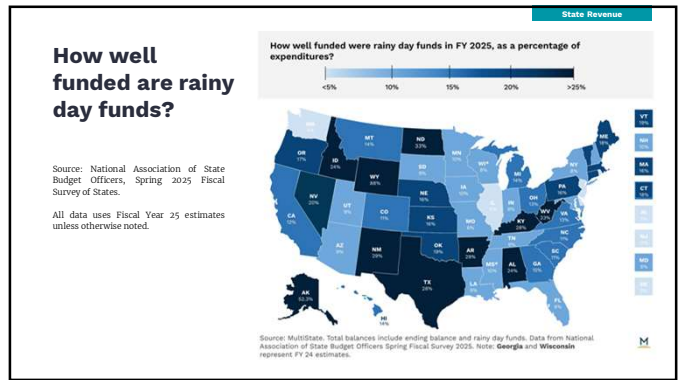


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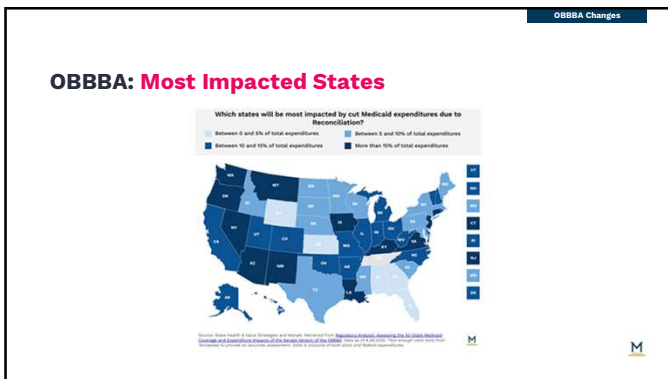
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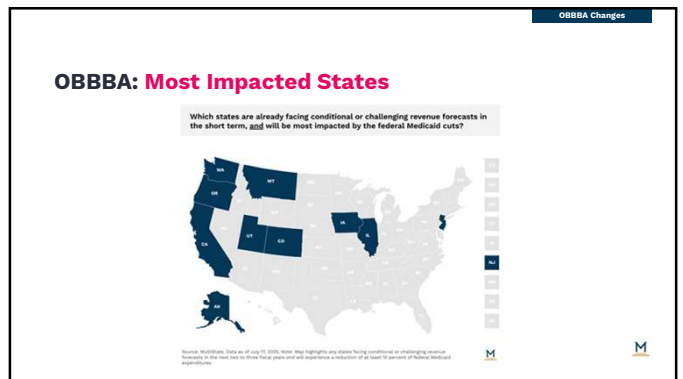
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2026 Trends

Taxation of Services

GOP seeking a payfor to cut/eliminate taxes, Dems seeking "fiscal equity" and revenue support

- Washington
- Maryland
- Minnesota (seriously debated)

Which states considered legislation to tax services in 2025?

Legend: Introduced (dark blue), Enacted (light blue), Passed 1st or 2nd chamber (purple)

Source: MultiState. Data as of October 23, 2025.

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Courts

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Courts

- IL Day and Temp Labor Services Act**
 - Preliminary injunction based on ERISA preemption granted THEN reversed
 - Litigation stayed pending rulemaking
 - ASA filed comment letter - September 10th
- NJ Temporary Worker Bill of Rights**
 - Preliminary injunction based on ERISA preemption denied
 - Parties are engaged in extensive discovery
 - No enforcement of equal benefits provision currently
 - Final rules published

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Courts

- Nevada Staffing Ban—ASA Offers a Solution**
 - NV law prohibits contractors from contracting with staffing firms that are not licensed contractors to perform skilled work requiring a contractor's license.
 - ASA has proposed creation of a special licensing category for "labor suppliers" that would allow staffing firms to provide skilled construction workers without having to obtain multiple trade licenses.
 - The Nevada Contractors Board is considering the ASA proposal as part of a potential settlement of the association's lawsuit challenging the ban on skilled staffing.

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New/Updated ASA Resources

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ASA Resources

- ASA New/Updated Issue Papers & Tool Kits**
 - Independent Contractor
 - AI Policy
 - Anti-Fraud
 - ICHRAs
 - Marijuana in the Workplace
 - Co-Employment

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2026 Elections



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2026 Elections: House



- **Republicans**
 - Solid: 190 (WI-05, WI-06, WI-07, WI-08)
 - Likely: 14 (WI-01)
 - Lean: 9
 - Tossup: 8 (WI-03)
 - Other: 1 (NE-02)
- **Democrats**
 - Solid: 172 (WI-02, WI-04)
 - Likely: 19
 - Lean: 10
 - Tossup: 9
 - Other: 3 (NC-01 TX-34 and TX-35)

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2026 Elections: Senate



- **Republicans (22 seats)**
 - Solid: 17
 - Likely: 2 (IA and TX)
 - Lean: 1 (OH)
 - Tossup: 2 (ME and NC)
- **Democrats (13 seats)**
 - Solid: 9
 - Likely: 1 (MN)
 - Lean: 1 (NH)
 - Tossup: 2 (GA and MN)

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2026 Elections: Governors

- **Republicans (19 seats)**
 - Solid: 13
 - Likely: 2 (NH and OH)
 - Lean: 1 (IA)
 - Tossup: 2 (GA and NV)
 - Other: 1 (VA)
- **Democrats (19 seats)**
 - Solid: 9
 - Likely: 5 (ME, MN, NM, NY and PA)
 - Lean: 1 (NJ)
 - Tossup: 3 (AZ, MI, and WI)
 - Other: 1 (KS)

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Q&A



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Check out the Exhibit Hall
(Don't forget your passport!)

Return by 10:12 am

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Thank you!


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Manage Your Risk, Drive Your Profits
A Fireside Chat



Scott Ravanese, Sen. Vice President
Marsh McLennan Agency



Jeff Tuisl, Co-Founder
T2 Insurance Solutions

Moderator: Michelle Werner, Hatch Staffing Services

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STAND OUT. STAY TOP-OF-MIND. SELL MORE.

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HR Panel: Client Clash or Perfect Match

Cheryl Brah, Vice President Human Resources
Helwig Carbon

Mary Felder, Vice President Human Resources
Midwest Refrigerated Services

Rob Greenup, People & Organizational Consultant
Novonesis

Facilitator: Sara Luchsinger, SEEK Careers/Staffing

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It Can Happen to Any of Us

Not all fraud comes from inside your company or candidate pool.




Sometimes, it comes right through a call disguised as a new client!

55

The Setup


A "new client" approaches a staffing firm, often claiming rapid growth and/or urgent need for payroll support.



56

The Bait


The "new client" submits employee lists to be payrolled or funded. The names, SSNs, and timesheets look legitimate.



57

The Trap


The staffing firm processes/funds payroll, expecting reimbursement from the "new client".




58

The Fallout

The "new client" delays payment for 45-60 days and disappears. The staffing firm discovers the "employees" were fake - bank accounts lead to fraudsters.



 Losses in these cases often run \$500,000 - \$1MM
Two US agencies reported \$690k and \$703k losses in 2023

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Why This Type of Fraud is Increasing

- Remote and digital onboarding make in-person verification rare.
- Generative AI allows convincing documents, fake LinkedIn profiles, and fabricated company websites.
- Staffing firms are eager to onboard new clients quickly in a competitive market and in a down market – fraudsters exploit that speed.

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Warning Signs of Fraudulent “Client”

- Rush to fund payroll before verifying credit or site visit.
- Inconsistencies in company information.
- Email address does not contain company name.
- All communications handled by one individual who defers/resists direct contact with “employees”

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Prevention & Detection Strategies

- Client Verification: Require all new clients go through a thorough verification of tax ID, company credit, website, owners, phone numbers and email.
- Site Verification: Conduct a physical or virtual site visit before processing first payroll.
- Dual Verification: Have two internal departments (operations & sales or management) approve any new payrolling client.
- Technology: Use data tools that mismatched EINs, identical bank routing for multiple “employees” or fraudulent SSNs
- Fraud Policy: Build clear escalation procedures and communicate them to staff (Red Flag Emails) – No exceptions for “urgent” deals.

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Response

- Immediately freeze payroll and funding to the suspected client.
- Alert your banking partner/funding partner and legal counsel.
- Preserve communications and payment records for law enforcement. File a police report.
- Use the incident to educate your team and clients about being vigilant with following procedures.

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Common Fraud Schemes in Our Industry

- The Bait and Switch: You interview one person, but another person shows up for the assignment.
- Internal Misappropriation: The theft or misuse of your company’s assets by an internal employee or group of employees for personal use.
- The Man in the Middle: You receive an email purporting to be from your employee or vendor requesting a change to banking information.

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Common Fraud Schemes in Our Industry

- The Trade Dress Grifter: Someone poses as your company to defraud unknown candidates based on the goodwill you’ve built.
- The Payroll Scheme: You receive a request to payroll employees with fraudulent identities and payment going to the fraudster’s bank account.

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Call to Action

- Review your internal controls
- Maintaining credit or background check requirements (especially for new clients)
- Audit vendor changes; especially bank accounts
- Schedule staff training
- Establish a reporting protocol

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Call to Action

Fraud has always been a risk within the staffing industry. Follow the process. **Do Not Deviate From It!**



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Thank You



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WSS

Thank You!

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*The Hard Hat View from the CEO
A Round Table Discussion*

Panelists

Mike Duffek, President of Duffek Construction

Phil Malliet, President & CEO
Hayes Performance Systems

Manuel Merkt, Chief Operating Officer
& VP of Marketing of Haimer USA

Facilitator: Clay Pautz, Parallel Employment Group

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Thank You!

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*A Sneak Peek at DWD 2026:
A Workforce Development Update*

Deputy Secretary Pamela McGillivray

Wisconsin Department of
Workforce Development

WSS

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What's New at DWD

Partnering with Wisconsin Employers for Workforce Success

DWD Deputy Secretary Pamela McGillivray
November 6, 2025

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Welcome

- Thank you, WASS members!
- Partnership built on shared goals
- Connecting Wisconsin workers and employers




WASS
Wisconsin Association of Staffing Services




STATE OF WISCONSIN
DWD
Department of Workforce Development


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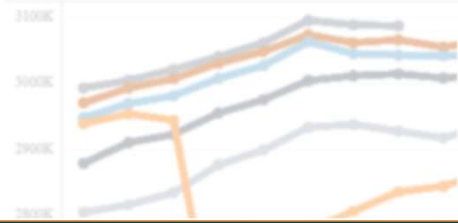
- Six divisions advancing Wisconsin's workforce mission
- Funded through strong state-federal partnerships
- Navigating federal shutdown impacts with stability
- Strong employee engagement, retention, and hybrid work culture



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Wisconsin's Workforce Today

- **3,068,700** nonfarm jobs (Sept. 2025)
- **2.9%** unemployment rate (below national average)
- **Record high** participation, record low unemployment




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2025: Year of the Kid

- Focus on children, families, and Wisconsin's future
- Strengthening family supports = stronger workforce
- Addressing childcare, housing, and transportation




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Workforce Solutions Initiative (WSI)



- Gov. Evers made \$158M investment through ARPA
- 26 regional innovation projects
- Serving more than 87,200 individuals


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Workforce Innovation Grant (WIG)




- Locally designed, regionally driven
- Address child care, housing, and skills gaps
- Building sustainable workforce partnerships

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Worker Advancement Initiative (WAI)


- Paid transitional jobs = permanent careers
- Employer incentives and training support
- Example: Employ Milwaukee's "Skillful Transitions"



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Worker Connection Program (WCP)




- Personal guidance for job seekers
- Focused on barriers to reentry and success
- Began in Milwaukee, Green Bay region
- Expanded statewide in 2025

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Inclusive Workforce: DVR and Business Services

- Helping individuals with disabilities find meaningful work
- 12 Business Services Consultants statewide
- Inclusive hiring = better retention, engagement, innovation



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Veterans and Inclusive Hiring



- Connect with veteran talent
- Incentives: WOTC, Veterans Employment Grant, Vets Ready Employer
- Skilled, disciplined, dependable workforce

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Reentry Employment Partnerships



- 11 correctional job labs statewide
- Job readiness, apprenticeships, and support
- Fidelity Bonding, WOTC

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Apprenticeship in Wisconsin

- 17,000+ Registered Apprentices
- 11,000+ Youth Apprentices
- 83 career pathways statewide




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Apprenticeship Success Stories

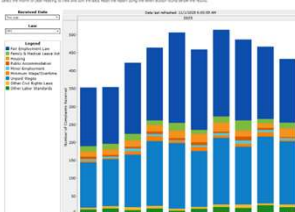
- Early Childhood Educator Apprenticeship (DCF & MATC)
- Healthcare Apprenticeships: Nursing, Respiratory Therapy
- Building the workforce of tomorrow, today





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Modernization and Improved Customer Service



- Equal Rights: Decision digest, online applications
- UI: Modernized systems, multilingual access, fraud prevention
- Act 33: Workers Compensation Adjudication returns to DWD
- WC: new Injury Claim System launched Oct. 2025
- Faster, more efficient service for employers



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Labor Market Data & Employer Tools

- Access labor data anytime
- Explore wages, job demand, and trends
- Plan smarter with DWD analytics




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Wisconsin Fast Forward (WFF)


- \$5.25M awarded in 2025
- Employer-led training in manufacturing, healthcare, IT
- Upskilling Wisconsin's workforce





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AI and the Future of Work



- Preparing Wisconsin for digital transformation
- Governor's AI Task Force → workforce readiness plan
- AI should work for workers, not against them



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Statewide Partnerships

- Collaboration across agencies and education
- Aligning workforce, childcare, and housing initiatives
- Whole-family approach = stronger workforce










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Shared Objectives with Staffing Firms

- **Job Center of Wisconsin (JCW):** post jobs, access workforce data
- **DVR and ERD partnerships:** promote inclusive hiring and compliance
- **Project SEARCH:** a pathway for meaningful employment
- **Workforce Innovation Grant collaboration:** propose regional pilot projects
- **Apprenticeship & Youth Programs:** staff placement and mentoring
- **Reentry Employment Initiatives:** connect employers to trained, work-ready individuals
- **Worker Connection program:** breaking down barriers to employment


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Ways to Partner with DWD



- Post jobs: JobCenterofWisconsin.com
- Apply for training grants (WFF)
- Host apprenticeships & internships
- Use WOTC and Fidelity Bonding
- Hire inclusively with DVR and Veterans Services


jobcenterofwisconsin.com


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Economic Outlook


- Wisconsin continues to lead
- Growth in healthcare, manufacturing, IT
- Workforce participation among top in nation


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Closing Message

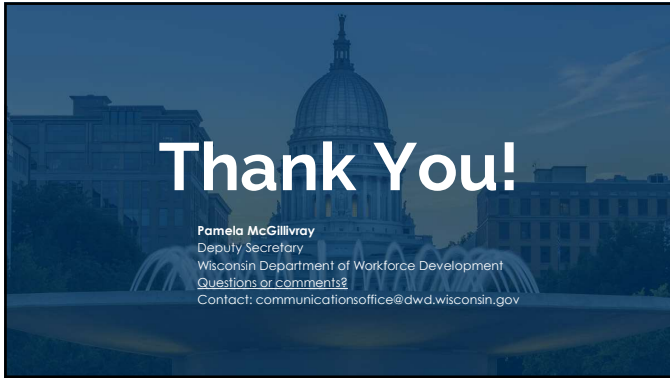
- Thank you, WASS members!
- Your work strengthens Wisconsin
- Let's keep building together


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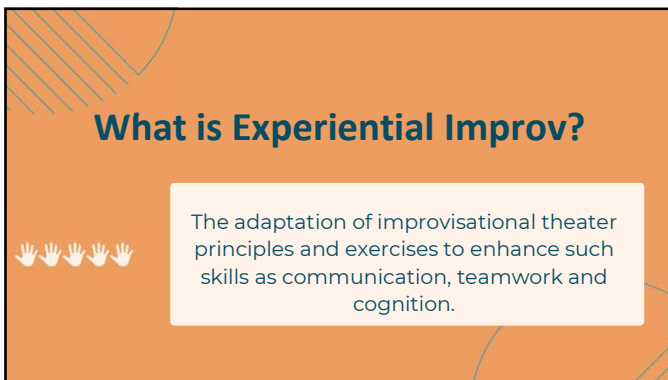
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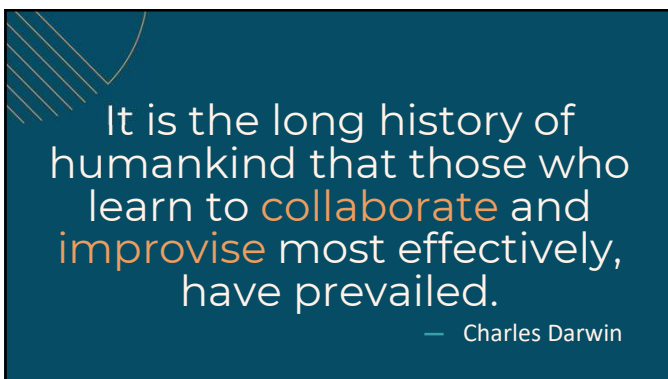
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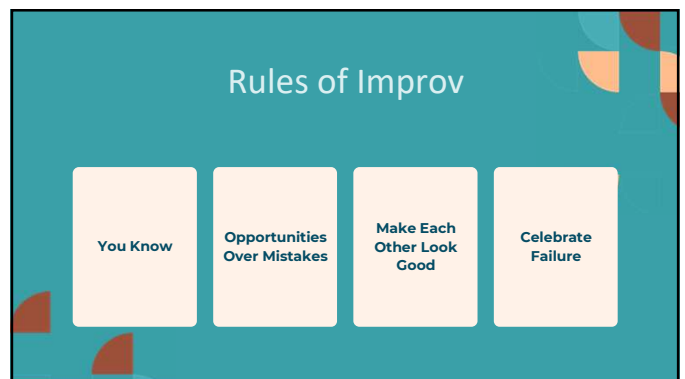
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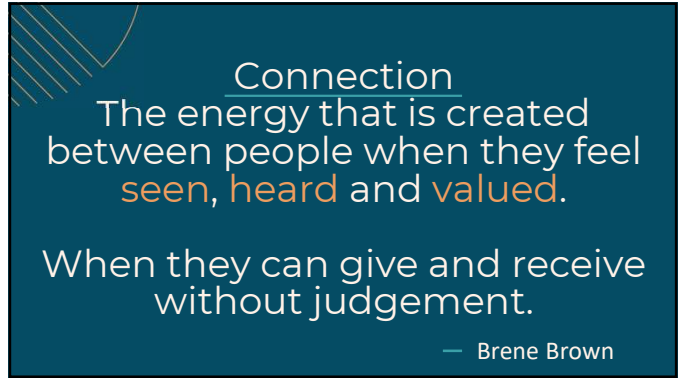
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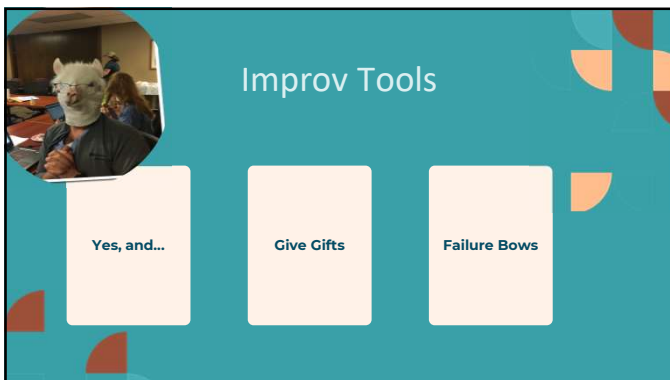
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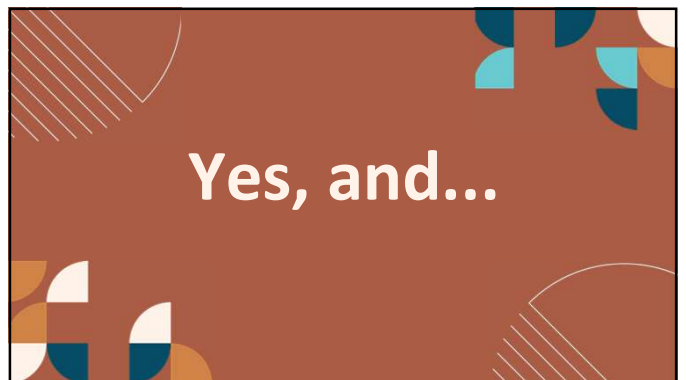
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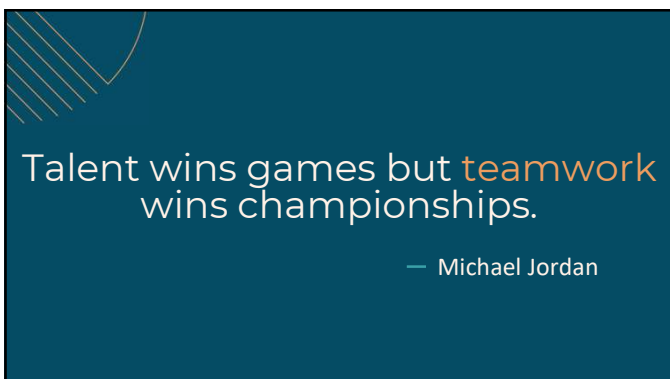
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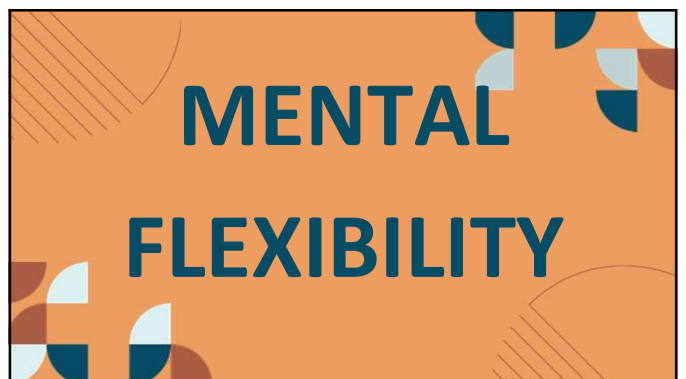
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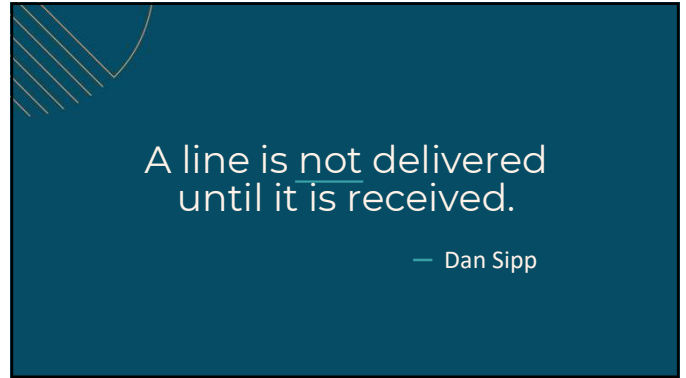
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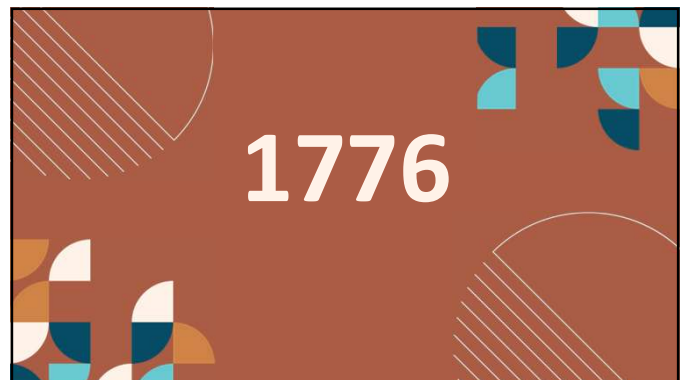
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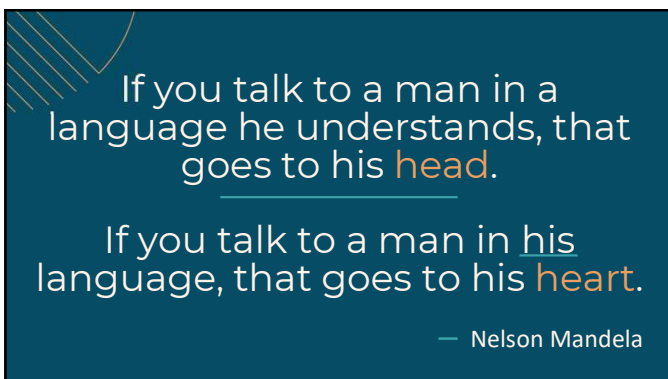
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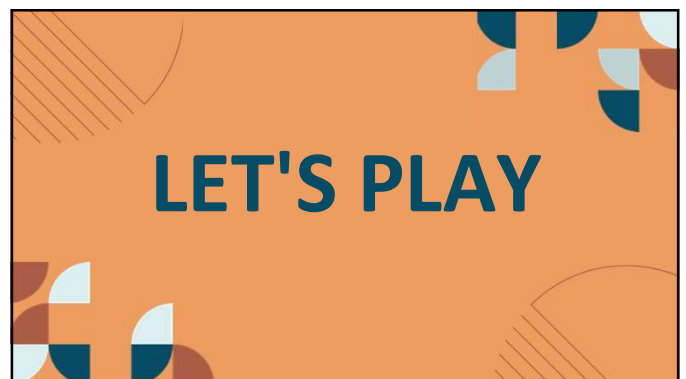
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