



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2009 Assembly Bill 116

**Assembly
Amendments 1 and 2**

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Under *current law*, an employer, including the state, employing at least 50 individuals on a permanent basis in this state must permit an employee who has been employed by the employer for more than 52 consecutive weeks and who has worked for the employer for at least 1,000 hours during the preceding 52-week period to take six weeks of family leave in a 12-month period and two weeks of medical leave in a 12-month period. Family leave may be taken for the birth or adoptive placement of a new child or to care for a child, spouse, or parent who has a serious health care condition. Medical leave may be taken when the employee has a serious health condition that makes the employee unable to perform his or her employment duties.

2009 Assembly Bill 116 provides that any employee may take no more than 16 hours of school conference and activities leave in a 12-month period for the purpose of attending school conferences or classroom activities relating to the employee's child that cannot be scheduled during nonwork hours. Under the bill, an employee may also use school conference and activities leave to observe and monitor the services or programming provided to the employee's child by a child care provider or a public or private preschool or prekindergarten, if that observation and monitoring cannot be scheduled during nonwork hours.

An employee may not substitute paid leave for school conference and activities leave for attending a school conference or activity for less than one hour.

If an employee intends to take school conference and activities leave, the employee must make a reasonable effort to schedule the conference or activity so that it does not unduly disrupt the employer's operations and must give the employer advance notice of the conference or activity in a reasonable or practicable manner.

Assembly Amendment 1 deletes the provision of the bill permitting any employee to take school conference and activities leave. Under the amendment, as for family and medical leave, the employee

must be employed by the employer for more than 52 consecutive weeks and have worked for the employer for at least 1,000 hours during the preceding 52-week period in order to take school conference or activities leave.

The amendment also permits an employer to require an employee, when the employee returns from school conference and activities leave, to provide, in a reasonable and practicable manner, documentation from his or her child's school, child care provider, preschool, or prekindergarten stating no more than that the employee was attending a school conference or classroom activity, or was observing services or programming of a child care provider, preschool, or prekindergarten, during that period of leave.

Assembly Amendment 2 provides that an employee may not use school conference or activities leave for the purpose of accompanying an outing or field trip of a school, child care provider, preschool, or prekindergarten.

Legislative History

Representative Black offered Assembly Amendments 1 and 2. The Assembly adopted Assembly Amendments 1 and 2 on voice votes and passed the bill, as amended, on a vote of Ayes, 51; Noes, 45, on January 28, 2010.

AS:ksm