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Details:

(FORM UPDATED: 08/11/2010)

**WISCONSIN STATE LEGISLATURE ...
PUBLIC HEARING - COMMITTEE RECORDS**

2009-10

(session year)

Senate

(Assembly, Senate or Joint)

**Committee on ... Labor, Elections, and Urban
Affairs (SC-LEUA)**

COMMITTEE NOTICES ...

- Committee Reports ... **CR**
- Executive Sessions ... **ES**
- Public Hearings ... **PH**

INFORMATION COLLECTED BY COMMITTEE FOR AND AGAINST PROPOSAL

- Appointments ... **Appt** (w/Record of Comm. Proceedings)
- Clearinghouse Rules ... **CRule** (w/Record of Comm. Proceedings)
- Hearing Records ... bills and resolutions (w/Record of Comm. Proceedings)
 - (**ab** = Assembly Bill) (**ar** = Assembly Resolution) (**ajr** = Assembly Joint Resolution)
 - (**sb** = Senate Bill) (**sr** = Senate Resolution) (**sjr** = Senate Joint Resolution)
- Miscellaneous ... **Misc**

Senate

Record of Committee Proceedings

Committee on Labor, Elections and Urban Affairs

Senate Bill 11

Relating to: a requirement that all employers in this state grant a paid leave of absence on Veterans Day to employees who are veterans.

By Senators Hansen and Erpenbach; cosponsored by Representatives Turner, Sinicki, Berceau, Grigsby, Hilgenberg and Young.

January 21, 2009 Referred to Committee on Labor, Elections and Urban Affairs.

August 18, 2009 **PUBLIC HEARING HELD**

Present: (5) Senators Coggs, Wirsch, Lehman, A. Lasee and Grothman.

Absent: (0) None.

Appearances For

- Dave Hansen — Senator

Appearances Against

- John Metcalf — Wisconsin Manufacturers & Commerce

Appearances for Information Only

- None.

Registrations For

- Robert Turner — Representative
- Michael Trepanier — Wisconsin Department of Veterans Affairs
- Jason Johns — VFW of Wisconsin

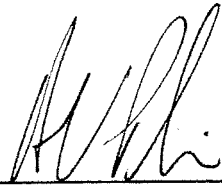
Registrations Against

- Dan Schwartzer — Independent Business Association
- Dave Storey — Wisconsin Retail Council
- Ed Huck — Wisconsin Alliance of Cities
- Bill Smith — National Federation of Independent Business
- Curt Witynski — League of Wisconsin Municipalities

Registrations for Information Only


- None.

April 22, 2010 Failed to pass pursuant to Senate Joint Resolution 1.



Adam Plotkin
Committee Clerk

Plotkin, Adam

From: Wagnitz, John
Sent: Monday, August 17, 2009 4:15 PM 
To: Whitesel, Russ
Cc: Plotkin, Adam
Subject: FW: Veterans Day Paid Holiday Information Request
Attachments: Veterans Day Holiday 2009 08-14-09.doc

Gentlemen,

some background information on veterans day legislation for tomorrow. while other states encourage private employers to give their veteran employees and New Hampshire gives a "preference not to work" but for no pay, no state requires a day off or requires a pay for that day off.

John Wagnitz
Office of State Senator Dave Hansen
18 South, State Capitol
phone: (608) 266-5670

From: Heather Morton [mailto:heather.morton@ncsl.org]
Sent: Monday, August 17, 2009 4:10 PM
To: Wagnitz, John
Subject: Veterans Day Paid Holiday Information Request

Dear John,

Thank you for contacting NCSL with your information request regarding Veterans Day as a paid holiday. The federal government and 50 states have designated Veterans Day as a holiday for public employees. Wisconsin has the day as a "floating" holiday. I did not find any state that currently requires private-sector employers to give the day as a paid holiday.

Please find attached the 2009 legislation regarding Veterans Day for your review. New Hampshire enacted H.B. 90 this year that grants an employee a preference not to work on Veterans Day, but it specifically does not require the employer to pay the employee's wages for the day.

If you have any additional questions, please do not hesitate to contact me.

Sincerely,
Heather Morton
Program Principal
Legislative Information Services
National Conference of State Legislatures
7700 East First Place
Denver, CO 80230
(303) 364-7700 extension 1475
heather.morton@ncsl.org

08/17/2009



NATIONAL CONFERENCE
of STATE LEGISLATURES

The Forum for America's Ideas

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2009 Legislation regarding Veterans Day Holiday
August 14, 2009

MA S 1874 **DOCKET:** 450
AUTHOR: Moore R [D]
TITLE: Observation of Veteran's Day
INTRODUCED: 01/19/2009
DISPOSITION: Pending
SUMMARY:
Relates to the observation of Veteran's Day.
STATUS:
01/19/2009 INTRODUCED.
01/19/2009 Filed as Senate Docket 450.
01/19/2009 To JOINT Committee on TOURISM, ARTS AND
 CULTURAL DEVELOPMENT.

NH H 90 **AUTHOR:** Emiro [R]
TITLE: Veterans Day
INTRODUCED: 01/07/2009
ENACTED: 06/22/2009
DISPOSITION: Enacted
CHAPTER: 116
SUMMARY:
Allows honorably discharged veterans no longer active in the armed forces to have a preference not to work on Veterans' Day; allows emergency responders and certain medical personnel who are honorably discharged veterans no longer in the United States armed forces to have a preference not to work on Veterans Day so long as another emergency responder is available.
STATUS:
06/23/2009 Chapter No. 116

NJ AR 74 **SPONSOR:** Chiappone [D]
TITLE: Veterans Day Pay
INTRODUCED: 01/08/2008
DISPOSITION: Pending

SUMMARY:

Encourages private employers to provide veteran employees with paid holiday on Veterans' Day.

STATUS:

01/08/2008

INTRODUCED.

01/08/2008

To ASSEMBLY Committee on MILITARY AND VETERANS AFFAIRS.

NY A 1913

SPONSOR: Thiele [R]

TITLE: Holiday Pay for Veterans Day

INTRODUCED: 01/14/2009

DISPOSITION: Pending

SUMMARY:

Provides that employers shall not require veterans to work on Veterans' Day and that veterans shall be entitled to receive wages for such day.

STATUS:

01/14/2009

INTRODUCED.

01/14/2009

To ASSEMBLY Committee on JUDICIARY.

NY A 2397

SPONSOR: Gantt [D]

TITLE: Leave Of Absence

INTRODUCED: 01/15/2009

DISPOSITION: Pending

SUMMARY:

Relates to the leave of absence for certain employees who served during armed conflicts on Memorial day and Veterans' day; if such leave of absence would limit public transportation outside of a city with a population of one million or more, such persons shall be entitled to leave of absence with pay on another day in lieu thereof.

STATUS:

01/15/2009

INTRODUCED.

01/15/2009

To ASSEMBLY Committee on GOVERNMENTAL OPERATIONS.

OK H 1650

AUTHOR: Rousselot [D]

TITLE: Holidays

INTRODUCED: 02/02/2009

DISPOSITION: Pending - Carryover

SUMMARY:

Relates to holidays; relates to holidays in Oklahoma; provides for Veterans' Day as a mandatory holiday for all veterans; provides an effective date.

STATUS:

02/03/2009

To HOUSE Committee on VETERANS AND MILITARY AFFAIRS.

OK HCR 1014

AUTHOR: Rousselot [D]

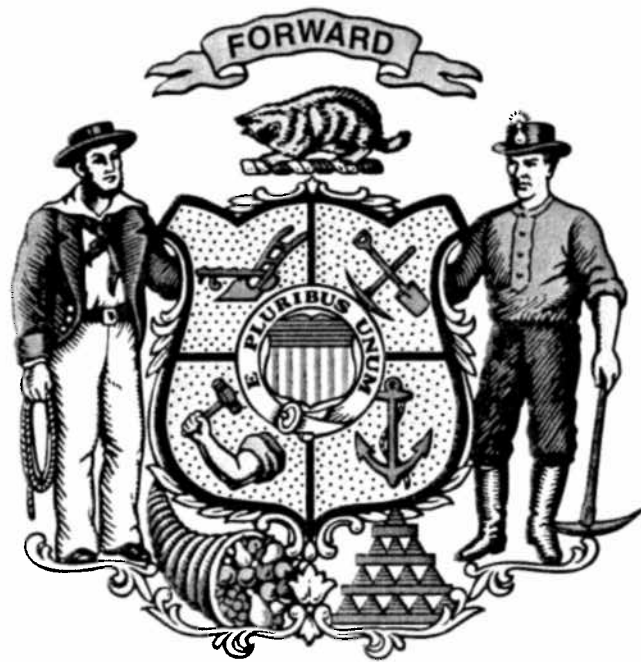
TITLE: Veterans Day
INTRODUCED: 03/17/2009
ADOPTED: 05/13/2009
DISPOSITION: Adopted
SUMMARY:
Encourages Oklahoma employers to allow employees who are veterans to take Veterans Day off with pay.
STATUS:
05/13/2009 Passed SENATE.

WI A 9

AUTHOR: Turner [D]
TITLE: Absence on Veterans Day
INTRODUCED: 01/27/2009
DISPOSITION: Pending
SUMMARY:
Relates to a requirement that all employers in this state grant a paid leave of absence on Veterans Day to employees who are veterans.
STATUS:
01/27/2009 INTRODUCED.
01/27/2009 To ASSEMBLY Committee on VETERANS AND MILITARY AFFAIRS.

WIS 11

AUTHOR: Hansen [D]
TITLE: Paid Leave of Absence and Veterans Day
INTRODUCED: 01/21/2009
DISPOSITION: Pending
SUMMARY:
Relates to a requirement that all employers in this state grant a paid leave of absence on Veterans Day to employees who are veterans.
STATUS:
01/21/2009 INTRODUCED.
01/21/2009 To SENATE Committee on LABOR, ELECTIONS AND URBAN AFFAIRS.





WISCONSIN STATE SENATOR

DAVE HANSEN

SENATOR – 30TH DISTRICT

ASSISTANT MAJORITY LEADER

Testimony on SB 11 (paid leave of absence on Veterans Day to employees
who are veterans)

Senate Committee on Labor, Elections and Urban Affairs
201 Southeast

Tuesday August 18, 2009

Chairman Coggs and members

Thank you for the opportunity to speak in favor of Senate Bill 11
today.

Senate Bill 11 will provide a paid leave of absence on Veterans Day
to employees in the state who are veterans.

Veterans Day began as “Armistice Day” to commemorate the signing
of the armistice on November 11, 1918. Germany surrendered to Allied
Forces on the 11th hour of the 11th day of the 11th month in 1918 bringing
an end to World War I, “the war to end all wars.” President Roosevelt made
November 11th an official federal Holiday in 1938 and President Gerald Ford
returned the official day of observance to November 11th in 1975.

Committees

Joint Committee on Finance, Senate Vice Chair
Education
Transportation, Tourism, Forestry and Natural Resources
Special Committee on State-Tribal Relations
Senate Organization
Joint Committee on Legislative Organization

State Capitol

P.O. Box 7882
Madison, Wisconsin 53707-7882
Phone: (608) 266-5670
Toll-Free: 1-866-221-9395
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E-mail: sen.hansen@legis.wisconsin.gov

While Memorial Day was established to honor soldiers who gave their lives in defense of our country, Veterans Day is a day to honor all who served honorably in our nation's military.

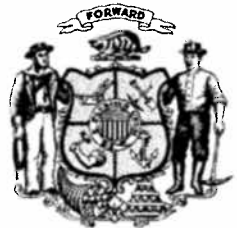
Although the federal government and banks offer the day off to their employees, it's ironic that those who served honorably in our military and for who this day was established do not get the day off if they are employed in state or local government or the private sector. This is their day and they should be able to take the day off, with pay, without fear of reprisal from their employer. In researching this bill, my office discovered that Wisconsin is the only state that does not observe Veterans' Day as an official paid holiday for state employees.

Senate Bill 11 will require all employers in the state, whether public or private, to provide a paid leave of absence on Veterans Day or the following Monday if Veterans Day falls on a weekend to all veterans working in Wisconsin. It's the least we can do to honor those who have risked so much for the freedoms we hold dear.

Thank you.



WISCONSIN STATE LEGISLATURE





122 W. Washington Avenue
Suite 300
Madison, Wisconsin 53703-2715

608/267-2380
800/991-5502
Fax: 608/267-0645

E-mail: league@lwm-info.org
www.lwm-info.org

To: Senate Committee on Labor, Elections and Urban Affairs
From: Curt Witynski, Assistant Director, League of Wisconsin Municipalities
Date: August 18, 2009
Re: Opposition to SB 11

The League of Wisconsin Municipalities opposes SB 11, requiring all employers in the state, including local governments, to provide a paid holiday on Veterans Day to employees who are veterans. While we acknowledge the good intentions of this bill and agree society needs to do a better job of honoring our veterans, Wisconsin municipalities cannot afford this mandate.

This is especially true at this time when municipalities are strapped with levy limits, cuts in shared revenues, lower property values, and increases in health care and other costs they cannot control. This is perhaps the toughest financial state of affairs that municipalities have faced in many years. If passed into law this bill would only add to the difficulties municipalities currently confront in trying to provide quality services with less revenue.

As the DOA's Fiscal Estimate on this bill explains, estimated local costs to provide eight hours of leave to veterans, which make up about 10% of the local government workforce, would be approximately \$3,307,920 per year for all local units of government in the state. In some instances, municipal employers would also incur overtime or other additional costs to provide back-up staff (e.g. police officers or fire fighters to fill in for the regular workers while on leave)

Because of the costs municipalities would incur, we urge you to vote against recommending passage of SB 11. Thanks for considering our comments.





WISCONSIN'S BUSINESS VOICE SINCE 1911

TO: Members of the Senate Labor, Elections and Urban Affairs Committee
FROM: John Metcalf, Director, Human Resources Policy
DATE: August 18, 2009
RE: Opposition to Senate Bill 11

Background

Under current law, November 11 (Veterans Day) is a legal holiday. This bill requires that every public and private employer in this state grant to each employee who is a veteran a paid leave of absence for the entire workday on Veterans Day, or on the following Monday if Veterans Day falls on a Saturday or Sunday and the employee is not scheduled to work on that day. Under the bill, for employees who are included in a collective bargaining unit, the paid leave of absence is granted only if so provided in a collective bargaining agreement.

2009-2010 Session Legislation

The bill prohibits an employer from discharging or discriminating against an employee in promotion, in compensation, or in the terms, conditions, or privileges of employment for taking a paid leave of absence on Veterans Day; opposing a discharge or discrimination in violation of the bill; filing a complaint or attempting to enforce a right under the bill; or testifying or assisting in any action or proceeding to enforce a right under the bill. An employee who is discharged or discriminated against in violation of the bill may file a complaint with the Department of Workforce Development (DWD), and DWD must process the complaint in the same manner that employment discrimination complaints are processed under current law. That processing may include the ordering of back pay, reinstatement, compensation in lieu of reinstatement, and costs and attorney fees.

WMC Position - Oppose

WMC opposes Senate Bill 11 for the following reasons:

- In the contemporary workplace the trend in employee benefits is to provide “banks” of discretionary leave for purposes of the employee's choosing to meet their needs. This approach allows employers and employees to work out leave and employment schedules to accommodate their respective needs. Senate Bill 11 “trumps” this process by requiring employers to provide leave on a specific date to specific employees—a mandate that cannot always be accommodated. Note that Wisconsin State Government took this contemporary approach to this issue recently, by creating an additional day of discretionary leave for all state workers, but without designating that the leave be taken on Veterans Day.
- The bill creates a new administrative burden on Wisconsin employers in that most employers do not currently collect information on the past military status of their employees. Further, while the bill references the discharge status of the employee, the mechanism for certification of a worker's discharge status is not addressed.
- The bill creates a broad remedial structure under which employers may be sued once an employee requests leave under this provision. In addition to a penalty for denying leave, the bill also creates employment protections—the ability to file a complaint—if an employee believes that any of the terms and conditions of their employment have been affected by taking or requesting to take leave.
- Neither Wisconsin nor federal law requires leave—paid or unpaid—for any holiday, official or otherwise. State and federal law recognizes an extensive list of legal state holidays when government business is not transacted. However, the fact that segments of government do not function on those days does not mean other segments of the private sector can be closed. Service industries must function every day of the week and year.



LEVA Public Hearing 8/18/09

Rosemary Fineran

SB 11

- not here, one registration

SB 11

Sen. Hansen

- written testimony
- SC, only state w/o holiday for Vets Day
- LC, need to check
- GZ, exempting unions
 - DH, willing to work on it
- GZ, included in any current union contracts
 - DH, some have as floating holiday
- GZ, WI rated poorly for biz, any other state w/ requirement?
 - DH, no
- AL, merits well intended but bad for private sector, timing bad to do this now
 - DH, tabled for economy when GOP ran Senate
- GZ, any day in any state for mandated closing?
 - DH, don't know
- GZ, approach for federal mandate rather than state by state
 - DH, maybe
- BW, stop beating up on biz, start selling state of WI
 - DH, getting some new biz through tax credits
- GZ, contact national legislator
 - DH, yes
- GZ, put WI @ disadvantage
 - DH, one day for just vets

- GZ, what about jobs?

- DH, just trying to get through ante.

- John Metcalf, WMC

- regrettably oppose bill

- honor armed forces

- has written testimony but doesn't read

- Gov. Doyle issued EO or collectively bargained this for state employees

- creates some redundancy

- slippery slope

- can't ignore economy

- imposes burdens on some sectors of economy

- JL, employee might sue employer - many expected

- probably not widespread but some

- based on experience w/ Fair Employment Act

- GZ, 1st state to require

- require for private sector only

- JL, WMC support more limited version (few hours off)?

- will look at anything

- slippery slope

- JL, special group of people, no slippery slope. healing event for vets

- BW, unfair to compare vets day to other holidays

- not trying to be cavalier

- GZ, how many businesses are members?

- 3700 mbrs, 4500 locations

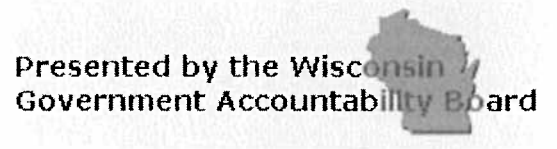
- GZ, any companies already do this?

- no, more banks of leave is new

- SC reads registrations



- ▶ Home
- ▶ Lobbying in Wisconsin
- ▶ Organizations employing lobbyists
- ▶ Lobbyists



as of Wednesday, August 12, 2009

2009-2010 legislative session
Legislative bills and resolutions

(search for another legislative bill or resolution at the bottom of this page)

Senate Bill 11

a requirement that all employers in this state grant a paid leave of absence on Veterans Day to employees who are veterans. (FE)

TEXT
sponsors
LBR analysis

STATUS
committee actions and
votes
text of amendments

COST & HOURS
of lobbying efforts
directed at this
proposal

Organization		These organizations have reported lobbying on this proposal:	Place pointer on icon to display comments, click icon to display prior comments		
Profile	Interests		Date Notified	Position	Comments
◆	◆	Alliance of Wisconsin Retailers, LLC	2/27/2009	↔	
◆	◆	Fox Cities Chamber of Commerce & Industry	2/17/2009	?	
◆	◆	Independent Business Assn of Wisconsin	5/22/2009	↔	
◆	◆	League of Wisconsin Municipalities	1/27/2009	↓	
◆	◆	Milwaukee Police Association	1/26/2009	↑	
◆	◆	United Transportation Union	1/26/2009	↑	
◆	◆	Wisconsin Association of School Boards Inc	2/23/2009	↔	
◆	◆	Wisconsin Credit Union League	2/10/2009	?	
◆	◆	Wisconsin Grocers Association, Inc.	2/9/2009	?	
◆	◆	Wisconsin Independent Businesses Inc	2/5/2009	?	
◆	◆	Wisconsin Manufacturers & Commerce	2/6/2009	↓	
◆	◆	Wisconsin Sheriffs and Deputy Sheriffs Association	4/18/2009	↔	
◆	◆	Wisconsin Technical College District Boards Association Inc	3/4/2009	?	

Select a legislative proposal and click "go"

House

Assembly
Senate

Proposal Type