



## 1997 ASSEMBLY BILL 369

May 22, 1997 - Introduced by Representatives SCHNEIDER, WILLIAMS, LORGE, PLALE, HASENOHRL, BOYLE, ROBSON and MURAT. Referred to Committee on Labor and Employment.

1     **AN ACT** *to amend* 103.20; and *to create* 103.135 of the statutes; **relating to:**  
2     employer monitoring of employe use of computer networks.

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### *Analysis by the Legislative Reference Bureau*

Current law grants to an employe certain rights to privacy in relation to his or her employer. Specifically, current law requires an employer to permit an employe to inspect and request correction of the employe's personnel records. Also, under current law, an employer may not require an employe to take a test for the presence of the human immunodeficiency virus (HIV), unless there is a significant risk of transmitting HIV through employment. In addition, under current law, an employer may not discriminate against an employe based on the employe's use or nonuse of lawful products off the employer's premises during nonworking hours.

This bill prohibits an employer, including the state, from monitoring an employe's use of a computer network, such as the Internet, to send, receive, gain access to, take possession of or copy any message or data.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3     **SECTION 1.** 103.135 of the statutes is created to read:

