



1997 ASSEMBLY BILL 683

December 23, 1997 - Introduced by Representatives SCHNEIDER, J. LEHMAN, MUSSER, R. YOUNG, RYBA and COGGS. Referred to Committee on Small Business and Economic Development.

1 **AN ACT to amend** 103.16 of the statutes; **relating to:** seating for employes

Analysis by the Legislative Reference Bureau

Under current law, every person employing workers in any manufacturing, mechanical or mercantile establishment in this state must provide suitable seats for those workers, and must permit those workers to use those seats when not necessarily engaged in the active duties for which they are employed. This bill specifically includes retail stores in the coverage of those requirements, specifies that the seat provided for an employe must be in reasonable proximity to the area in which the employe is employed and requires the employer to permit the employe to use the seat for intermittent rest not only when the employe is not necessarily engaged in the active duties for which he or she is employed, but also when the employe is not required to stand in order to perform the duties for which he or she is employed.

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

2 **SECTION 1.** 103.16 of the statutes is amended to read:

3 **103.16** (title) **Seats for workers employes; penalty.** Every Any person or
4 corporation employing workers an employe in any manufacturing, mechanical or
5 mercantile establishment in the state of Wisconsin ,including a retail store, in this
6 state shall provide for the employe a suitable seats for the workers so employed seat
7 in reasonable proximity to the area in which the employe is employed, and shall

1 ~~permit the use of such seats by them when they are~~ employee to use the seat for
2 intermittent rest when the employe is not necessarily engaged in the active duties
3 ~~for which they are employed~~ he or she is employed or when the employee is not
4 required to stand in order to perform the duties for which he or she is employed. Any
5 ~~person or corporation~~ who violates this section may be fined not less than \$10 nor
6 more than \$30 for each offense.

7 **SECTION 2. Initial applicability.**

8 (1) This act first applies to employes who are affected by a collective bargaining
9 agreement that contains provisions inconsistent with section 103.16 of the statutes,
10 as affected by this act, on the day after the collective bargaining agreement expires
11 or on the day on which the collective bargaining agreement is extended, modified or
12 renewed, whichever occurs first.

13 **(END)**