



1995 SENATE BILL 355

September 27, 1995 - Introduced by Senators CHVALA, WINEKE and RISSER, cosponsored by Representatives R. YOUNG, BALDWIN, BOCK, TRAVIS, COGGS, MORRIS-TATUM, KRUSICK, L. YOUNG and TURNER. Referred to Committee on Business, Economic Development and Urban Affairs.

1 **AN ACT to repeal** 103.10 (3) (a) 1., 103.10 (3) (a) 2., 103.10 (4) (title) and 103.10
2 (4) (b); **to renumber** 103.10 (4) (c); **to renumber and amend** 103.10 (3) (a) 3.
3 and 103.10 (4) (a); and **to amend** 103.10 (3) (title) and 103.10 (14) (b) of the
4 statutes; **relating to:** the number of weeks of family or medical leave that an
5 employe may take in a 12-month period.

Analysis by the Legislative Reference Bureau

Under the current Wisconsin family and medical leave law, an employe of an employer employing at least 50 individuals on a permanent basis in this state may take no more than 6 weeks of leave in a 12-month period for the birth or adoptive placement of a new child and no more than 2 weeks of family leave in a 12-month period to care for a child, spouse or parent who has a serious health condition and no more than 2 weeks of leave in a 12-month period because of a serious health condition that makes the employe unable to perform his or her employment duties. Under the current federal family and medical leave law, an employe of an employer employing at least 50 individuals for each working day during 20 or more weeks in the current or preceding year may take no more than 12 weeks of leave in a 12-month period for the birth or adoptive or foster placement of a new child, to care for a child, spouse or parent who has a serious health condition or because of a serious health condition that makes the employe unable to perform the functions of his or her position. The current federal family and medical leave law does not, however, supersede any state or local law that provides greater rights than the rights under the federal family and medical leave law. Under both the federal and the Wisconsin family and medical leave laws, an employe is not entitled to receive wages or salary while taking family leave, but may substitute for family leave other types of paid or unpaid leave provided by the employer. This bill increases to 16 the number of weeks for which an employe may take leave for the birth or adoptive placement of a new

child, to care for a child, spouse or parent who has a serious health condition or because of a serious health condition that makes the employe unable to perform his or her employment duties.

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

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

1 **SECTION 1.** 103.10 (3) (title) of the statutes is amended to read:

2 103.10 (3) (title) ~~FAMILY~~ ENTITLEMENT TO LEAVE.

3 **SECTION 2.** 103.10 (3) (a) 1. of the statutes is repealed.

4 **SECTION 3.** 103.10 (3) (a) 2. of the statutes is repealed.

5 **SECTION 4.** 103.10 (3) (a) 3. of the statutes is renumbered 103.10 (3) (a) and
6 amended to read:

7 103.10 (3) (a) In a 12-month period no employe may take more than ~~8~~ 16 weeks
8 of family or medical leave for any combination of reasons specified under par. (b) or
9 (bm).

10 **SECTION 5.** 103.10 (4) (title) of the statutes is repealed.

11 **SECTION 6.** 103.10 (4) (a) of the statutes is renumbered 103.10 (3) (bm) and
12 amended to read:

13 103.10 (3) (bm) ~~Subject to pars. (b) and (c), an~~ An employe who has a serious
14 health condition which makes the employe unable to perform his or her employment
15 duties may take medical leave for the period during which he or she is unable to
16 perform those duties.

17 **SECTION 7.** 103.10 (4) (b) of the statutes is repealed.

18 **SECTION 8.** 103.10 (4) (c) of the statutes is renumbered 103.10 (3) (e).

19 **SECTION 9.** 103.10 (14) (b) of the statutes is amended to read:

