

1999 ASSEMBLY BILL 7

January 14, 1999 - Introduced by Representatives SCHNEIDER, J. LEHMAN and BOYLE. Referred to Committee on Labor and Employment.

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 employer employing employes in any manufacturing, mechanical or mercantile establishment in this state must provide suitable seats for its employes, and must permit its employes 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 the employe is employed, but also when the employe is not required to stand in order to perform the duties for which the employe 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 Seats for employes; penalty.** Every employer employing employes
4 an employe in any manufacturing, mechanical or mercantile establishment,
5 including a retail store, in this state shall provide suitable seats for its employes for

ASSEMBLY BILL 7**SECTION 1**

1 the employe a suitable seat in reasonable proximity to the area in which the employe
2 in employed, and shall permit the ~~use of those seats by its employes when the~~
3 ~~employes are~~ employe to use the seat for intermittent rest when the employe is not
4 necessarily engaged in the active duties for which ~~they are employed~~ the employe is
5 employed or when the employe is not required to stand in order to perform the duties
6 for which the employe is employed. Any employer who violates this section may be
7 fined not less than \$10 nor more than \$30 for each offense.

8 **SECTION 2. Initial applicability.**

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

13 (END)