

1999 DRAFTING REQUEST

Bill

Received: 09/24/98

Received By: malaigm

Wanted: As time permits

Identical to LRB:

For: Marlin Schneider (608) 266-0215

By/Representing: Judy

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Alt. Drafters:

Subject: Employ Priv - miscellaneous

Extra Copies:

Topic:

Seating for employes

Instructions:

Redraft 97-3738/1

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	malaigm 09/24/98	gilfokm 10/11/98		_____			
/1			jfrantze 10/12/98	_____	gretskl 10/12/98	lrb_docadmin 10/23/98	

FE Sent For:

Not Needed

<END>

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I?	malaigm	1-10-11 KMG	7/10/12	7/10/12 <u>10/12</u>			

FE Sent For:

<END>

King

1999

# 1997 ASSEMBLY BILL 688

~~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.

employer

employes

its employes

its 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 (use three) 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 employe

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



(use twice)  
the employee

1 permit the use of such seats by them when they are employe 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 employe 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.

Insert  
2-6

SECTION 2. Initial applicability.

on which

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.

(END)

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Insert 2-6

For the employee a suitable seat in reasonable proximity to the area in which the employee is employed

Section #. 103.16 of the statutes is amended to read:

, including a retail store,

An employee employed

**103.16 Seats for employees; penalty.** Every employer employing ~~employees~~ in any manufacturing, mechanical or mercantile establishment in this state shall provide ~~suitable seats for its employees~~, and shall permit the ~~use of those seats by its employees when the employees are~~ not necessarily engaged in the active duties for which ~~they are employed~~. Any employer who violates this section may be fined not less than \$10 nor more than \$30 for each offense.

History: 1975 c. 94 s. 91 (17); 1997 a. 253.

the employee is employed  
or when the employee  
is not required to stand  
in order to perform the  
duties for which the  
employee is employed

employee to use the seat for  
, intermittent rest when the  
employee is

(end of rest)



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**SUBMITTAL  
FORM**

**LEGISLATIVE REFERENCE BUREAU  
Legal Section Telephone: 266-3561  
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection, Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

**Date:** 10/12/98

**To:** Representative Schneider

**Relating to LRB drafting number: LRB-0325**

**Topic**

Seating for employes

**Subject(s)**

Employ Priv - miscellaneous

1. **JACKET** the draft for introduction \_\_\_\_\_ 

**in the Senate** \_\_\_\_\_ **or the Assembly** \_\_\_\_\_ (check only one). Only the requester under whose name the drafting request is entered in the **LRB's** drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached \_\_\_\_\_

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction \_\_\_\_\_

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Gordon M. Malaise, Senior Legislative Attorney  
Telephone: (608) 266-9738