

2001 ASSEMBLY BILL 904

March 14, 2002 – Introduced by Representatives BERCEAU, SINICKI and MILLER.
Referred to Committee on Labor and Workforce Development.

1 **AN ACT** *to amend* 103.67 (2) (g) and 103.82 (1) (a); and *to create* 103.65 (3) of
2 the statutes; **relating to:** prohibiting the employer of a minor from
3 interviewing the minor in connection with an allegation of employee
4 misconduct unless the employer first provides notice of the interview to the
5 minor's parent or guardian and permits the parent or guardian to be present
6 at the interview.

Analysis by the Legislative Reference Bureau

Under current law, the department of workforce development (DWD) or a permit officer designated by DWD may issue a work permit permitting a minor 14 years of age or over to work in any gainful employment except in a classification of employment or a place of employment that DWD has determined to be prejudicial to the life, health, safety, or welfare of minors. Current law also permits a minor under 14 years of age to be employed in a limited number of occupations enumerated in statute. This bill prohibits an employer of a minor from interviewing the minor in connection with an allegation of misconduct by any employee of the employer unless the employer has first provided notice of the interview to the parent or guardian of the minor employee and permits the parent or guardian to be present at the interview.

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For further information see the *state* 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.** 103.65 (3) of the statutes is created to read:

2 103.65 (3) An employer of a minor may not interview the minor in connection
3 with an allegation of misconduct by any employee of the employer unless the
4 employer has first provided notice of the interview to the parent or guardian of the
5 minor employee and permits the parent or guardian to be present at the interview.

6 **SECTION 2.** 103.67 (2) (g) of the statutes is amended to read:

7 103.67 (2) (g) Unless prohibited under s. 103.65, ~~minors (1) or (2),~~ a minor 12
8 years of age or older may be employed under the direct supervision of the minor's
9 parent or guardian in connection with the ~~parent's or guardian's~~ business, trade, or
10 profession of the parent or guardian.

11 **SECTION 3.** 103.82 (1) (a) of the statutes is amended to read:

12 103.82 (1) (a) Any employer who employs or permits any minor to work in any
13 employment in violation of ss. 103.64 to 103.82, or of any order of the department
14 issued under those sections, ~~or~~ who hinders or delays the department or a school
15 attendance ~~officers~~ officer in the performance of ~~their~~ the duties, ~~or of the department~~
16 or officer, who refuses to admit or locks out the officer from any place required to be
17 inspected under ss. 103.64 to 103.82, or who conducts an interview of a minor in
18 violation of s. 103.65 (3) may be required to forfeit not less than \$25 nor more than
19 \$1,000 for each day of the first offense and, for the 2nd or subsequent violation of ss.
20 103.64 to 103.82 within 5 years, as measured from the dates the violations initially

