

**2001 DRAFTING REQUEST**

**Bill**

Received: 02/22/2002

Received By: malaigm

Wanted: As time permits

Identical to LRB:

For: Terese Berceau (608) 266-3784

By/Representing: Tom

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Addl. Drafters:

Subject: **Employ Priv - child labor**

Extra Copies:

Submit via email: NO

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Investigations by employers of employee misconduct; require parent to be notified and permit parent to be present when a minor is being interviewed

---

**Instructions:**

When an employer interviews a minor employee in connection with an investigation of alleged employee misconduct, require the employer to notify the minor's parents and to permit the parents to be present at the interview.

---

**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 02/25/2002	rschluet 02/27/2002		_____			State
/1			jfrantze 02/27/2002	_____	lrb_docadmin 02/27/2002	lrb_docadmin 02/27/2002	

FE Sent For:

@mtw

<END>

**2001 DRAFTING REQUEST**

**Bill**

Received: 02/22/2002

Received By: malaigm

Wanted: As time permits

Identical to LRB:

For: Terese Berceau (608) 266-3784

By/Representing: Tom

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Addl. Drafters:

Subject: Employ Priv - child labor

Extra Copies:

Submit via email: NO

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Investigations by employers of employee misconduct; require parent to be notified and permit parent to be present when a minor is being interviewed

---

**Instructions:**

When an employer interviews a minor employee in connection with an investigation of alleged employee misconduct, require the employer to notify the minor's parents and to permit the parents to be present at the interview.

---

**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 02/25/2002	rschluet 02/27/2002		_____			State
/1			jfrantze 02/27/2002	_____	lrb_docadmin 02/27/2002		

FE Sent For:

<END>

2001 DRAFTING REQUEST

Bill

Received: 02/22/2002

Received By: malaigm

Wanted: As time permits

Identical to LRB:

For: Terese Berceau (608) 266-3784

By/Representing: Tom

This file may be shown to any legislator: NO

Drafter: malaigm

May Contact:

Addl. Drafters:

Subject: Employ Priv - child labor

Extra Copies:

Submit via email: NO

Pre Topic:

No specific pre topic given

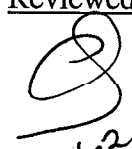
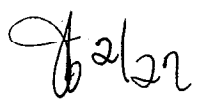
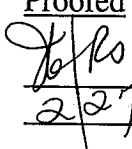
Topic:

Investigations by employers of employee misconduct; require parent to be notified and permit parent to be present when a minor is being interviewed

Instructions:

When an employer interviews a minor employee in connection with an investigation of alleged employee misconduct, require the employer to notify the minor's parents and to permit the parents to be present at the interview.

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>
1/2	malaigm	 2-26-2	 2/27	 2/27			
		1/27 jld					

FE Sent For:

<END>



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-4988/1

GMM:.....

CS + JLD

Unless the employer first provides notice of the interview to the minor's parent or guardian and permits

prohibiting the

from interviewing

Gen

1 AN ACT ...; relating to: requiring the employer of a minor to provide notice to the  
2 ~~minor's parent or guardian before the employer may interview the minor in~~  
3 connection with an allegation of employee misconduct and to permit the minor's  
4 parent or guardian to be present 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 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 permit the parent or guardian to be present at the interview.

with

S

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:**

5 SECTION 1. 103.65 (3) of the statutes is created to read:

1           103.65 (3) An employer of a minor may not interview the minor in connection  
 2 with an allegation of misconduct by any employee of the employer unless the  
 3 employer has first provided notice of the interview to the parent or guardian of the  
 4 minor employee and permits the parent or guardian to be present at the interview. ✓

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

6           103.67 (2) (g) Unless prohibited under s. 103.65, ~~minors (1) or (2)~~ ✓, a minor 12  
 7 years of age or older may be employed under the direct supervision of the minor's  
 8 parent or guardian in connection with the ~~parent's or guardian's~~ business, trade, or  
 9 profession of the parent or guardian. ✓

History: 1971 c. 271, 307; 1973 c. 184; 1979 c. 234; 1985 a. 1; 1986 a. 126; 1993 a. 492; 1995 a. 332; 1999 a. 164; 2001 a. 10.

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

11           103.82 (1) (a) Any employer who employs or permits any minor to work in any  
 12 employment in violation of ss. 103.64 to 103.82, or of any ~~order~~ of the department  
 13 issued under those sections, ~~or~~ who hinders or delays the department or a school  
 14 attendance ~~officers~~ officer in the performance of ~~their~~ duties, ~~or~~ who refuses to admit  
 15 or locks out the officer from any place required to be inspected under ss. 103.64 to  
 16 103.82, or who conducts an interview of a minor in violation of s. 103.65 (3) ✓ may be  
 17 required to forfeit not less than \$25 nor more than \$1,000 for each day of the first  
 18 offense and, for the 2nd or subsequent violation of ss. 103.64 to 103.82 within 5 years,  
 19 as measured from the dates the violations initially occurred, may be fined not less  
 20 than \$250 nor more than \$5,000 for each day of the 2nd or subsequent offense or  
 21 imprisoned not more than 30 days or both.

*of the department  
or officer*

*the*

History: 1971 c. 271; 1979 c. 298; 1987 a. 332.

22           **SECTION 4. Initial applicability.**

1  
2  
3  
4

(1) INTERVIEWS OF MINOR EMPLOYEES. This act first applies to an interview of a minor employee conducted by the employee's employer on the effective date of this subsection.

(END)



# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET  
5TH FLOOR  
MADISON, WI 53701-2037

STEPHEN R. MILLER  
CHIEF

LEGAL SECTION: (608) 266-3561  
LEGAL FAX: (608) 264-6948

February 27, 2002

### MEMORANDUM

To: Representative Berceau

From: Gordon M. Malaise, Senior Legislative Attorney

Re: LRB-4988/1 Investigations by employers of employee misconduct; require parent to be notified and permit parent to be present when a minor is being interviewed

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY     JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-9738 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.