

**2005 DRAFTING REQUEST**

**Bill**

Received: **11/05/2004**

Received By: **gmalaise**

Wanted: **As time permits**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing: **Himself**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Discrimination  
Employ Priv - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Schneider@legis.state.wi.us**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Solicitation of credit card applications; employers prohibited from requiring

---

**Instructions:**

Redraft 03-2482/1--prohibit employers from requiring as a condition of continued employment employees to solicit credit card applications.

---

**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>
/?	gmalaise 11/05/2004	lkunkel 11/20/2004 jdye 12/04/2004		_____			State
/1			jfrantze	_____	sbasford	sbasford	

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			12/06/2004	_____	12/06/2004	12/07/2004	
				_____		sbasford	
				_____		12/07/2004	

FE Sent For:

<END>

↪ At  
Intro.

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Redraft 03-2482/1--prohibit employers from requiring as a condition of continued employment employees to solicit credit card applications.

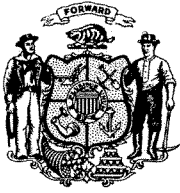
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/?	gmalaise	11/mk 11/20 1/jld 12/4	12/6	12/6			

FE Sent For:

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State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-2482/1

GMM:king/rs

0657/1

Imk  
+  
JLD

2003 BILL

Pls fix  
LPS: request  
sheet

Rece

- 1 AN ACT to create 103.135 and 106.54 (8) of the statutes; relating to: prohibiting
- 2 an employer from requiring an employee to solicit customers to apply for
- 3 issuance of a seller credit card.

*Analysis by the Legislative Reference Bureau*

Current law prohibits an employer from discharging or discriminating against an employee in promotion, in compensation, or in the terms, conditions, or privileges of employment on various bases, including the employee's age, race, creed, color, disability, marital status, sex, national origin, ancestry, or arrest or conviction record, or because the employee filed a complaint or attempted to enforce a right under the state's labor laws or testified or assisted in any proceeding to enforce such a right. Currently, the Department of Workforce Development (DWD) may order an employer that has discriminated against an employee to take such action as will effectuate the purpose of the Fair Employment Law, including the payment of back pay, reinstatement of the employee, or the payment of compensation in lieu of reinstatement.

This bill prohibits an employer from requiring an employee to solicit customers to apply for issuance of a credit card, or other credit confirmation or identification, that is intended primarily for the purpose of purchasing or leasing goods or services from the employer, a person related to the employer, or others licensed or franchised to do business under the employer's business or trade name or designation (seller credit card). Under the bill, an employer may not discharge or discriminate against an employee in promotion, in compensation, or in the terms, conditions, or privileges

**BILL**

for

of employment for failing or refusing to solicit customers to apply for issuance of a seller credit card, opposing a discharge or discrimination in violation of the bill, filing a complaint or attempting to enforce a right under the bill, or testifying or assisting in any action or proceeding to enforce a right under the bill. An employee who is discharged or discriminated against in violation of the bill may file a complaint with DWD, and DWD must process the complaint in the same manner that employment discrimination complaints are processed under current law, which processing may include the ordering of back pay, reinstatement, or compensation in lieu of reinstatement.

and that

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:*

**SECTION 1.** 103.135 of the statutes is created to read:

**103.135 Credit card solicitation prohibited.** An employer may not require an employee to solicit customers to apply for issuance of a credit card, or other credit confirmation or identification, that is intended primarily for the purpose of purchasing or leasing goods or services from the employer, a person related to the employer, or others licensed or franchised to do business under the employer's business or trade name or designation. An employer may not discharge or discriminate against an employee in promotion, in compensation, or in the terms, conditions, or privileges of employment for failing or refusing to solicit customers to apply for issuance of a credit card, or other credit confirmation or identification, as provided in this section, opposing a practice prohibited under this section, filing a complaint or attempting to enforce any right under this section, or testifying or assisting in any action or proceeding to enforce any right under this section. Any employee who is discharged or discriminated against in violation of this section may file a complaint with the department, and the department shall process the

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**BILL**

1 complaint in the same manner that employment discrimination complaints are  
2 processed under s. 111.39.

3 **SECTION 2.** 106.54 (8) of the statutes is created to read:

4 106.54 (8) The division shall receive complaints under s. 103.135 and shall  
5 process the complaints in the same manner that employment discrimination  
6 complaints are processed under s. 111.39.

7 **SECTION 3. Initial applicability.**

8 (1) This act first applies to an employee who, on the day before the effective date  
9 of this subsection, is affected by a collective bargaining or other employment  
10 agreement that contains provisions inconsistent with section 103.135 of the statutes,  
11 as created by this act, on the day on which the agreement expires or is extended,  
12 modified, or renewed, whichever occurs first.

13

(END)



**2003 DRAFTING REQUEST**

**Bill**

Received: **04/04/2003**

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing: **Himself**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Employ Priv - miscellaneous  
Discrimination**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Schneider@legis.state.wi.us**

Carbon copy (CC:) to: **robert.marchant@legis.state.wi.us**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Solicitation of credit card applications; employers prohibited from requiring

---

**Instructions:**

Employee is required to sign up so many customers for store credit card per month or lose her job. Therefore, prohibit employers from requiring as a condition of continued employment employees to solicit credit card applications.

---

**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>
/?	gmalaise 04/04/2003	kgilfoy 04/07/2003		_____			State
/1		/	rschluet 04/07/2003	_____	lemery 04/07/2003		

*Handwritten signatures and dates:*  
12/6  
12/6

Vers.      Drafted      Reviewed      Typed      Proofed      Submitted      Jacketed      Required

FE Sent For:

<END>

2003 DRAFTING REQUEST

Bill

Received: 04/04/2003

Received By: gmalaise

Wanted: Soon

Identical to LRB:

For: Marlin Schneider (608) 266-0215

By/Representing: Himself

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Employ Priv - miscellaneous  
Discrimination

Extra Copies: RSM

Submit via email: YES

Requester's email: Rep.Schneider@legis.state.wi.us

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

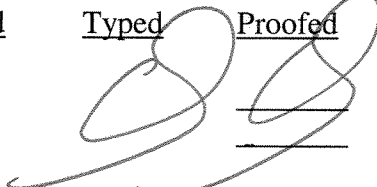
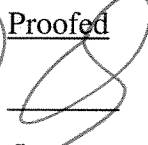
Topic:

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Instructions:

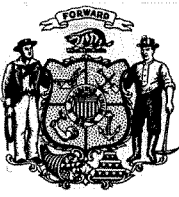
Employee is required to sign up so many customers for store credit card per month or lose her job. Therefore, prohibit employers from requiring as a condition of continued employment employees to solicit credit card applications.

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
1?	gmalaise	1 - 4/7 KMG					
			4-7-3				

FE Sent For:

<END>



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-2482/7  
GMM.....  
King

- 1      *Sen. Cost.*  
AN ACT ...; **relating to:** prohibiting an employer from requiring an employee to  
2      solicit customers to apply for issuance of a seller credit card.

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***Analysis by the Legislative Reference Bureau***

Current law prohibits an employer from discharging or discriminating against an employee in promotion, in compensation, or in the terms, conditions, or privileges of employment on various bases, including the employee's age, race, creed, color, disability, marital status, sex, national origin, ancestry, or arrest or conviction record, or because the employee filed a complaint or attempted to enforce a right under the state's labor laws or testified or assisted in any proceeding to enforce such a right. Currently, the Department of Workforce Development (DWD) may order an employer that has discriminated against an employee to take such action as will effectuate the purpose of the Fair Employment Law, including the payment of back pay, reinstatement of the employee, or the payment of compensation in lieu of reinstatement.

This bill prohibits an employer from requiring an employee to solicit customers to apply for issuance of a credit card, or other credit confirmation or identification, that is intended primarily for the purpose of purchasing or leasing goods or services from the employer, a person related to the employer, or others licensed or franchised to do business under the employer's business or trade name or designation (seller credit card). Under the bill, an employer may not discharge or discriminate against an employee in promotion, in compensation, or in the terms, conditions, or privileges of employment for failing or refusing to solicit customers to apply for issuance of a seller credit card, opposing a discharge or discrimination in violation of the bill, filing a complaint or attempting to enforce a right under the bill, or testifying or assisting in any action or proceeding to enforce a right under the bill. An employee who is

discharged or discriminated against in violation of the bill may file a complaint with DWD, and DWD must process the complaint in the same manner that employment discrimination complaints are processed under current law, which processing may include the ordering of back pay, reinstatement, or compensation in lieu of reinstatement.

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

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

1           SECTION 1. 103.135 of the statutes is created to read:

2           **103.135 Credit card solicitation prohibited.** ~~(A)~~ An employer may not  
3 require an employee to solicit customers to apply for issuance of a credit card, or other  
4 credit confirmation or identification, that is intended primarily for the purpose of  
5 purchasing or leasing goods or services from the employer, a person related to the  
6 employer, or others licensed or franchised to do business under the employer's  
7 business or trade name or designation. An employer may not discharge or  
8 discriminate against an employee in promotion, in compensation, or in the terms,  
9 conditions, or privileges of employment for failing or refusing to solicit customers to  
10 apply for issuance of a credit card, or other credit confirmation or identification, as  
11 provided in this section, opposing a practice prohibited under this section, filing a  
12 complaint or attempting to enforce any right under this section, or testifying or  
13 assisting in any action or proceeding to enforce any right under this section. Any  
14 employee who is discharged or discriminated against in violation of this section may  
15 file a complaint with the department, and the department shall process the  
16 complaint in the same manner that employment discrimination complaints are  
17 processed under s. 111.39.

18           SECTION 2. 106.54 (8) of the statutes is created to read:



## Barman, Mike

---

**From:** Barman, Mike  
**Sent:** Wednesday, September 24, 2003 10:42 AM  
**To:** Rep.Schneider; Baldus, John  
**Subject:** LRB 03-2482/1 (attached - requested by John)



03-2482/1

*Mike Barman*

Mike Barman - Senior Program Asst. (PH. 608-266-3561)  
(E-Mail: [mike.barman@legis.state.wi.us](mailto:mike.barman@legis.state.wi.us)) (FAX: 608-264-6948)

State of Wisconsin  
Legislative Reference Bureau - Legal Section - Front Office  
100 N. Hamilton Street - 5th Floor  
Madison, WI 53703

**Basford, Sarah**

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**From:** Schneider, Marlin  
**Sent:** Tuesday, December 07, 2004 3:05 PM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 05-0657/1 Topic: Solicitation of credit card applications; employers prohibited from requiring

It has been requested by <Schneider, Marlin> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-0657/1 Topic: Solicitation of credit card applications; employers prohibited from requiring