LRB-4016/4 GMM:bjk:rs

2009 ASSEMBLY BILL 945

April 9, 2010 – Introduced by Representative Sinicki. Referred to Committee on Labor.

AN ACT *to create* 111.40 of the statutes; **relating to:** prohibiting any limitation on the rights, remedies, or procedures that are provided to an individual or class of individuals under the law prohibiting discrimination in employment.

Analysis by the Legislative Reference Bureau

Current law prohibits discrimination in employment because of age, race, creed, color, disability, marital status, sex, national origin, ancestry, arrest or conviction record, military service, or use or nonuse of lawful products off the employer's premises during nonworking hours (fair employment law).

This bill prohibits the rights, remedies, or procedures provided to an individual or a class of individuals under the fair employment law as of the day before the effective date of the bill from being limited. If on or after the effective date of this bill the scope of the individuals or classes of individuals who are provided with any rights, remedies, or procedures under the fair employment law is expanded, those individuals or classes of individuals shall be provided with the same rights, remedies, and procedures that are provided to the individuals or classes of individuals who are covered under that law as of the day before the effective date of that expansion. If on or after the effective date of this bill the rights, remedies, or procedures that are provided to an individual or class of individuals under the fair

ASSEMBLY BILL 945

employment law are expanded, the same rights, remedies, and procedures shall be provided to all individuals or classes of individuals who are covered under that law.

-2-

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

SECTION 1. 111.40 of the statutes is created to read:

111.40 Rights, remedies, and procedures not to be limited. Beginning on the effective date of this section [LRB inserts date], the rights, remedies, or procedures provided to an individual or class of individuals under this subchapter as of the day before the effective date of this section [LRB inserts date], may not be limited. If on or after the effective date of this section [LRB inserts date], the scope of individuals or classes of individuals who are provided with any rights, remedies, or procedures under this subchapter is expanded, those individuals or classes of individuals shall be provided with the same rights, remedies, and procedures that are provided to individuals or classes of individuals who are covered under this subchapter as of the day before the effective date of that expansion. If on or after the effective date of this section [LRB inserts date], the rights, remedies, or procedures that are provided to an individual or class of individuals under this subchapter are expanded, the same rights, remedies, and procedures shall be provided to all individuals or classes of individuals who are covered under this subchapter.

17

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16