

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1142/1dn
MED:kjf:jm

January 7, 2015

Jay:

I will be sharing the area of employment law this session with Gordon Malaise. As such, I have handled this redraft of 2013 SB 143. However, I made a number of modifications to last session's bill. Let me know if any of these changes is not desirable:

1. I advanced the date in the bill by two years to account for the new session.
2. I clarified that an action for compensatory and punitive damages could be brought regardless of whether the hearing examiner and the Labor and Industry Review Commission (LIRC) had both found that discrimination had occurred. The prior language suggested that an action for compensatory and punitive damages could *only* be brought if a hearing examiner had found discrimination and LIRC had affirmed that finding, which may not always be the case for cases in which there is ultimately a finding of discrimination. (In some cases, LIRC may be reversing or modifying a hearing examiner's decision, while in other cases, a court finding discrimination may be reversing LIRC's finding of no discrimination.) Let me know if these changes do not reflect the intent.

I also added a sentence to the analysis to reflect the fact that the dollar amounts are revised every year based on the change in the consumer price index.

If you have any questions, please let me know.

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